

THE
Statutes at Large,

FROM
MAGNA CHARTA

To the END of the
Eleventh Parliament of GREAT BRITAIN,

Anno 1761.

CONTINUED.

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CUM PRIVILEGIO.

T H E

Statutes at Large,

Anno vicesimo secundo GEORGII III. Regis.

Being the SECOND Session of the

Fifteenth Parliament of GREAT BRITAIN.

V O L. XXXIV. P A R T I.

A D V E R T I S E M E N T.

Although it is mentioned in the Title-Page of the first Part of the Index to these Statutes, that it is continued only to the End of the Eleventh Parliament of Great Britain anno 1761, (which includes the *first* Year of King George III.)—And the Continuation of the Index specifies, that the same commences and is brought down from the *fourth* Year of King George III. to the 21st of his Reign inclusive. — Yet the Reader may be assured, that there is no Chasm or Deficiency, but that all the intervening Acts of the *second and third* Years of this Reign are included in the said first Part of the Index, the same having been carefully collated by the Editor.

A
T A B L E
O F T H E
S T A T U T E S
P U B L I C K and P R I V A T E,

Passed *Anno vicefimo fecundo*

G E O R G I I I I I . *Regis.*

Being the Second Session of the Fifteenth Parliament of
Great Britain.

P U B L I C K A C T S.

Cap 1. **F**OR further continuing an act, made in the seven-
teenth year of the reign of his present Majesty, in-
titled, *An act to impower his Majesty to secure and detain persons*
charged with, or suspected of, the crime of high treason, committed in
any of his Majesty's colonies or plantations in America, or on the high
seas, or the crime of piracy.

Cap. 2. For granting an aid to his Majesty by a land tax, to
be raised in *Great Britain*, for the service of the year one thou-
sand seven hundred and eighty-two.

Cap. 3. For continuing and granting to his Majesty certain
duties upon malt, mum, cyder, and perry, for the service of the
year one thousand seven hundred and eighty-two.

Cap. 4. For punishing mutiny and desertion; and for the
better payment of the army and their quarters.

Cap. 5. For the regulation of his Majesty's marine forces
while on shore.

Cap. 6. For keeping the militia forces of this kingdom com-
plete, during the time therein mentioned.

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Cap. 7. For further continuing an act, made in the nineteenth year of the reign of his present Majesty, *for allowing the importation of fine organzined Italian thrown silk in any ships or vessels, for a limited time.*

Cap. 8. For raising a certain sum of money by way of annuities, and for establishing a lottery.

Cap. 9. For rectifying mistakes in the names of several of the commissioners appointed, by an act made in the last session of parliament, to put in execution an act made in the same session, intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty-one*; and for appointing other commissioners, together with those named in the first-mentioned act, to put in execution an act of this session of parliament, *for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty-two.*

Cap. 10. For the better detaining, and more easy exchange of American prisoners brought into Great Britain.

Cap. 11. For allowing further time to negotiate, by indorsement, the bonds issued in pursuance of an act, made in the fourteenth year of the reign of his present Majesty, intituled, *An act for more effectually carrying into execution certain proposals made by the most noble Henry duke of Buccleugh, the most noble Charles duke of Queensberry and Dover, and others, for redeeming the annuities granted by the company of the bank of Ayr, in that part of Great Britain called Scotland, known under the firm of Douglas, Heron, and Company.*

Cap. 12. For making compensation to the proprietors of certain messuages, lands, tenements, and hereditaments, in the counties of Cornwall and Devon, purchased in pursuance of two acts of parliament, one made in the twentieth year of the reign of his present Majesty, *for better securing his Majesty's docks, ships, and stores, at Plymouth and Sheerness*; and for better defending the passage of the river Thames at Gravesend and Tilbury Fort; and the other in the twenty-first year of his present Majesty's reign, *for explaining and amending so much of the said act as relates to the security of his Majesty's docks, ships, and stores, at Plymouth*; and to certain proprietors and occupiers of land at or near Plymouth, who have sustained any loss or damage in consequence of the said acts.

Cap. 13. To continue several laws therein mentioned, relating to the better encouragement of the making of sail cloth in Great Britain; to the encouragement of the silk manufactures; and for taking off several duties on merchandize exported, and reducing other duties; to the free importation of cochineal, and indico; to the prohibiting the importation of books reprinted abroad, and first composed, written, and printed in Great Britain; to securing the duties upon foreign-made sail cloth, and charging foreign-made sails with a duty; to the allowing a bounty on the exportation of British corn and grain in neutral ships;

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ships; to the allowing the exportation of provisions, goods, wares, and merchandizes, to certain places in *North America*, which are or may be under the protection of his Majesty's arms, and from such places to *Great Britain*, and other parts of his Majesty's dominions; to the impowering his Majesty to prohibit the exportation, and restrain the carrying coastwise, of copper in bars, or copper in sheets; and to the allowing the exportation of certain quantities of wheat, and other articles, to his Majesty's sugar colonies in *America*.

Cap. 14. To explain, amend, and render more effectual, an act, made in the sixteenth year of the reign of his present Majesty, for making and maintaining a navigable canal from or near the town of *Stourbridge*, in the county of *Worcester*, to join the *Staffordshire* and *Worcestershire* canal at or near *Stourton*, in the county of *Stafford*; and also two collateral cuts therein mentioned.

Cap. 15. For the relief of naval officers, seamen, marines, and soldiers, with respect to prize and bounty money not claimed in due time.

Cap. 16. For the better supply of mariners and seamen to serve in his Majesty's ships of war, and on board merchant ships, and other trading ships and vessels.

Cap. 17. To repair, enlarge, and rebuild, *Cobham*, *Leatherhead*, and *Godalming* bridges, in the county of *Surrey*.

Cap. 18. For continuing the term and powers of an act, made in the thirty-third year of the reign of his late majesty King *George* the Second, intituled, *An act for laying a duty of two pennies Scots, or one sixth part of a penny sterling, on every Scots pint of ale; porter, or beer, brewed for sale, or vended, within the town and parish of Dalkeith*.

Cap. 19. For granting an additional bounty on ships employed in the *Greenland* and whale fishery, for a limited time.

Cap. 20. To revive and further continue an act, made in the seventh year of the reign of his present Majesty, intituled, *An act to discontinue, for a limited time, the duties payable upon the importation of tallow, bogs' lard, and grease*.

Cap. 21. To extend so much of two acts, of the twentieth and twenty-first years of his present Majesty's reign, as relate to the sale of, and ascertaining the duties upon, *East India* goods, to tea, and all other goods of the growth, product, or manufacture of *China*, or any country within the limits of the *East India* company's charter, which have been, or shall, during the present hostilities, be brought into this kingdom, and condemned as prize; for equalizing the duties upon, and regulating the importation of foreign snuff into this kingdom; and for preventing the importation and running of foreign spirituous liquors, tea, and other prohibited goods, into this kingdom, in vessels fitted out and armed as privateers.

Cap. 22. For better securing the duties payable, by virtue of an act of the fifth year of the reign of *Queen Anne*, on the importation of coals, culm, and cinders, into the port of *Great Yarmouth*, in the county of *Norfolk*.

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Cap. 23. For allowing further time for inrolment of deeds, and wills made by papists, and for relief of protestant purchasers.

Cap. 24. For defraying the charge of the pay and cloathing of the militia in that part of *Great Britain* called *England*, for one year, beginning the twenty-fifth day of *March*, one thousand seven hundred and eighty-two.

Cap. 25. To prohibit the ransoming of ships or vessels captured from his Majesty's subjects, and of the merchandize or goods on board such ships or vessels.

Cap. 26. For providing quarters for certain foreign troops, lately employed in his Majesty's service in the defence of the island of *Minorca*, and expected to arrive soon in this kingdom, for a limited time.

Cap. 27. For the more easy and speedy recovery of small debts, within the city of *Rochester*, and the parishes of *Strood*, *Frielsbury*, *Cobham*, *Shorne*, *Higham*, *Cliffe*, *Cooling*, *High Halstow*, *Chalk*, *Hoo*, *Burham*, *Wooldham*, *Halling*, *Cuxstone*, *Chatham*, and *Gillingham*, and the ville of *Sheernefs*, in the county of *Kent*.

Cap. 28. For granting an additional duty upon tobacco and snuff; and for repealing certain duties payable upon the importation of brandy and arrack, and for granting other duties in lieu thereof.

Cap. 29. For further continuing an act, made in the twentieth year of the reign of his present Majesty, intituled, *An act for exempting the city of Winchester, the county of Southampton, the town of Shrewsbury, and the county of Salop, out of the provisions of an act, made in the eighth year of the reign of his late majesty King George the Second, intituled, An act for regulating the quartering of soldiers during the time of the elections of members to serve in parliament; so far as the same relates to the removal of troops during the elections of members to serve in parliament, for a limited time.*

Cap. 30. For allowing the importation of goods of the growth, produce, or manufacture, of the islands of *Saint Christopher*, *Nevis*, and *Montserrat*, into any ports of his Majesty's dominions in *Europe* or *America*, upon payment of the *British* plantation duties.

Cap. 31. For the preventing of bribery and corruption in the election of members to serve in parliament for the borough of *Cricklade*, in the county of *Wilt*.

Cap. 32. To revive and continue an act, passed in the sixth year of the reign of his present Majesty, intituled, *An act to regulate the loading of ships with coals in the ports of Newcastle and Sunderland.*

Cap. 33. For charging a stamp-duty upon inland bills of exchange, promissory notes, or other notes payable otherwise than upon demand.

Cap. 34. For raising a certain sum of money by loans or exchequer bills, for the service of the year one thousand seven hundred

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hundred and eighty-two; and for consolidating certain annuities, which were made one joint stock by an act made in the thirty-first year of the reign of his late majesty King *George the Second*, with certain annuities consolidated by several acts, made in the twenty-fifth, twenty-eighth, twenty-ninth, thirty-first, thirty-second, and thirty-third years of the reign of his said late Majesty, and several subsequent acts.

Cap. 35. For the better relief and employment of the poor of the parish of *Saint John of Wapping*, in the county of *Middlesex*; and for providing a proper workhouse and burial ground for the use of the said parish; and for opening certain communications, and making certain streets, within the said parish.

Cap. 36. For raising a further sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and eighty-two.

Cap. 37. For the more easy and speedy recovery of small debts within the parishes of *Broseley*, *Bentham*, *Madeley*, *Barrow*, *Linley*, *Witley*, *Little Wenlock*, and *Dawley*, and an extraparochial place called *Poffall*, in the county of *Salop*.

Cap. 38. To permit the importation of *British* plantation tobacco from any port or place either in *America*, or the *West Indies*, or in *Europe*, during the present hostilities.

Cap. 39. For granting to his Majesty additional duties upon salt; and certain duties upon *Glauber* or *Epsom* salts, and also on mineral alkali or flux for glass, made from salt; and to prevent frauds in the duties on foul salt, to be used in manuring of lands.

Cap. 40. For punishing persons wilfully and maliciously destroying any woollen, silk, linen, or cotton goods, or any implements prepared for, or used in the manufacture thereof; and for repealing so much of two acts, made in the twelfth year of King *George the First*, and in the sixth year of his present Majesty, as relates to the punishment of persons destroying any woollen or silk manufactures, or any implements prepared for, or used therein.

Cap. 41. For better securing the freedom of elections of members to serve in parliament, by disabling certain officers, employed in the collection or management of his Majesty's revenues, from giving their votes at such elections.

Cap. 42. For building a stone bridge cross the river of *Thames*, from the parish of *Ealing*, in the county of *Middlesex*, to the opposite shore in the hamlet of *Kew*, in the county of *Surrey*.

Cap. 43. For making a passage for carriages from *Spitalfields* to *Bishopsgate-street*, in the county of *Middlesex*, and for paving the same; and for appropriating to those purposes the money arisen by virtue of an act, passed in the eighteenth year of his present Majesty, for applying the sum of nine thousand pounds, to arise out of the orphans' fund, for making such passage.

Cap. 44. For amending the pavement in, and for lighting some of the streets, lanes, ways, and places, in the parishes of *Saint Margaret* and *Saint John the Evangelist*, in *Westminster*,

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which are at present excluded from the provisions of an act, passed in the eleventh year of his present Majesty, (intituled, *An act to amend and render more effectual several acts made relating to paving, cleansing, and lighting, the squares, streets, lanes, and other places, within the city and liberty of Westminster, and parts adjacent*;) and for preventing nuisances and annoyances in or near the same; and for making an opening from *Orchard Street*, and widening some part of *Wood Street*, and of *Little Peter Street*.

Cap. 45. For restraining any person concerned in any contract, commission, or agreement, made for the publick service, from being elected, or sitting and voting as a member of the house of commons.

Cap. 46. To enable his Majesty to conclude a peace or truce with certain colonies in *North America* therein mentioned.

Cap. 47. For licensing lottery office keepers, and regulating the sale of lottery tickets.

Cap. 48. For charging a duty on persons whose property shall be insured against loss by fire.

Cap. 49. To rectify a mistake in an act of this session of parliament, with respect to preventing the importation and running of tea into this kingdom, in armed vessels having letters of marque, or other commissions from the admiralty.

Cap. 50. For further continuing an act, made in the twentieth year of the reign of his present Majesty, intituled, *An act for appointing and enabling commissioners to examine, take, and state the publick accounts of the kingdom; and to report what balances are in the hands of accountants, which may be applied to the publick service; and what defects there are in the present mode of receiving, collecting, issuing, and accounting for publick money; and in what more expeditious and effectual, and less expensive manner, the said services can in future be regulated and carried on for the benefit of the publick*.

Cap. 51. To discharge and indemnify the united company of merchants of *England* trading to the *East Indies*, from all damage, interests, and losses, in respect to their having made default in certain payments due to the publick, on such payments being made at a future stipulated time; and to enable the said company to continue a dividend of eight pounds *per centum* to the proprietors of their stock for the present year.

Cap. 52. For preventing the slaughtering of cattle within the city of *Edinburgh*, and for removing nuisances and annoyances therefrom.

Cap. 53. To repeal an act, made in the sixth year of the reign of his late majesty King *George the First*, intituled, *An act for the better securing the dependency of the kingdom of Ireland upon the crown of Great Britain*.

Cap. 54. For restraining *sir Thomas Rumbold* baronet, and *Peter Perring* esquire, from going out of this kingdom, for a limited time; and for discovering their estates and effects, and preventing the transporting or alienating the same.

Cap. 55. To indemnify such persons as have omitted to qualify

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lify themselves for offices and employments; and to indemnify justices of the peace, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving further time for those purposes; and to indemnify members and officers, in cities, corporations, and borough towns; whose admissions have been omitted to be stamped according to law, or, having been stamped, have been lost or mislaid; and for allowing them time to provide admissions duly stamped; and to give further time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attorneys and solicitors.

Cap. 56. More effectually to enable the inhabitants of the parish of *Saint Luke*, in the county of *Middlesex*, to purchase, hire, or erect, a workhouse, within or near the said parish, for the better reception and employment of the poor of the said parish.

Cap. 57. For building a new bridge, instead of the present ancient bridge, commonly called *Lancaster Bridge*, at a more convenient place over the river *Loyne*, near the town of *Lancaster*, in the county palatine of *Lancaster*.

Cap. 58. For the more easy discovery and effectual punishment of buyers and receivers of stolen goods.

Cap. 59. To provide that the proceedings on the bill, now depending in parliament, *for inflicting certain pains and penalties on Sir Thomas Rumbold baronet, and Peter Perring esquire, for certain breaches of publick trust, and high crimes and misdemeanors, committed by them whilst they respectively held the offices of governor and president, counsellors, and members of the select committee of the settlement of Fort Saint George, on the coast of Coromandel, in the East Indies*, shall not be discontinued by any prorogation or dissolution of the parliament.

Cap. 60. To prevent the seducing of artificers or workmen employed in printing callicoes, cottons, muslins, and linens, or in making or preparing blocks, plates, or other implements used in that manufactory, to go to parts beyond the seas; and to prohibit the exporting to foreign parts of any such blocks, plates, or other implements.

Cap. 61. For granting an additional duty upon white or manufactured bees wax imported into *Great Britain*.

Cap. 62. To explain and amend so much of an act, made in the second year of the reign of his present Majesty, for raising and training the militia, as relates to persons paying the sum of ten pounds being liable to serve again in the militia at the expiration of three years; and also to oblige substitutes to make oath respecting their place of settlement.

Cap. 63. To repeal so much of an act, made in the nineteenth year of King *George the Second*, (*for the more effectual disarming the Highlands in Scotland, and for the other purposes therein mentioned*), as restrains the use of the *Highland drets*.

Cap. 64. For the amending and rendering more effectual the laws in being relative to houses of correction.

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Cap. 65. To enable the most noble *Henry* duke of *Newcastle*, his heirs, executors, or administrators, to open a street from the *Strand*, at or near the east end of the *New Church*, to the south end of *Stanhope Street* in the parish of *Saint Clement Danes*, within the city and liberty of *Westminster*; and to make a more commodious communication between the north end of *Stanhope Street* aforesaid, and *Wylde Street* in the parish of *Saint Giles in the Fields*, in the county of *Middlesex*.

Cap. 66. For granting to his Majesty additional duties upon the produce of the several duties under the management of the respective commissioners of the customs and excise in *Great Britain*,

Cap. 67. For granting to his Majesty a certain sum of money out of the sinking fund; and for applying certain monies therein mentioned for the service of the year one thousand seven hundred and eighty-two; and for further appropriating the supplies granted in this session of parliament.

Cap. 68. For repealing the duties payable for beer and ale above six shillings the barrel, exclusive of the duties of excise, and not exceeding eleven shillings the barrel, exclusive of such duties, and for granting other duties in lieu thereof; for granting additional duties on coaches, and other carriages therein mentioned; and also additional duties on soap made in *Great Britain*, and upon the produce of the said additional duties on coaches and on other carriages; and for the better securing the duty upon tea, and other duties of excise; and also for appointing the number of commissioners of excise who may hear causes depending before them relative to the duties on male servants.

Cap. 69. For compelling *John Whitehill* esquire to return into this kingdom; and for restraining him, in case of his return, from going out of this kingdom for a limited time; and for discovering his estate and effects, and preventing the transporting or alienating of the same.

Cap. 70. To enable the commander in chief of his Majesty's forces, and the secretary to the commander in chief of his Majesty's forces, to send and receive letters and packets free from the duty of postage.

Cap. 71. More effectually to prevent his Majesty's enemies from being supplied with ships or vessels from *Great Britain*.

Cap. 72. For continuing so much of an act of the sixth year of his present Majesty, as relates to prohibiting the importation of foreign wrought silks and velvets.

Cap. 73. To explain an act made in the twelfth year of the reign of King *Charles* the Second, (intituled, *An act for prohibiting the planting, setting, or sowing of tobacco in England or Ireland*), and to permit the use and removal of tobacco, the growth of *Scotland* into *England*, for a limited time, under certain restrictions.

Cap. 74. For enlarging the times appointed for the first meetings of commissioners, or other persons for putting in execution certain acts of this session of parliament.

Cap.

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Cap. 75. To prevent the granting in future any patent office to be exercised in any colony or plantation now, or at any time hereafter, belonging to the crown of *Great Britain*, for any longer term than during such time as the grantee thereof, or person appointed thereto, shall discharge the duty thereof in person, and behave well therein.

Cap. 76. For enabling his Majesty to raise the sum of one million, for the uses and purposes therein mentioned.

Cap. 77. To render valid and effectual certain articles of agreement between the mayor and commonalty and citizens of the city of *London*, governors of the possessions, revenues, and goods, of the hospitals of *Edward King of England the Sixth*, of *Christ*, *Bridewell*, and *Saint Thomas the Apostle*, and of the hospitals of *Henry the Eighth*, King of *England*, called *The House of the Poor*, in *West Smithfield*, near *London*, and of the house and hospital called *Bethlehem*, and the presidents, treasurers, and acting governors, of the said several hospitals.

Cap. 78. To permit drugs, the product of *Hungary* or *Germany*, to be imported from the *Austrian Netherlands*, or any part of *Germany*, upon payment of the single duty; to allow the importation of *Hungary* or *German* wines, and organzined thrown silk, from the *Austrian Netherlands*, or any part of *Germany*, into *Great Britain*, and of timber, and other goods, from any part of *Europe*, in ships the property of subjects under the same sovereign as the country of which the goods are the growth, produce, or manufacture.

Cap. 79. For the encouragement and disciplining of such corps or companies of men as shall voluntarily enroll themselves for defence of their towns or coasts, or for the general defence of the kingdom, during the present war.

Cap. 80. To vest certain messuages, lands, tenements, and hereditaments, in trustees, for the better securing his Majesty's docks, ships, and stores, at *Portsmouth* and *Chatham*.

Cap. 81. For the better regulation of the office of paymaster general of his Majesty's forces.

Cap. 82. For enabling his Majesty to discharge the debt contracted upon his civil list revenues; and for preventing the same from being in arrear for the future, by regulating the mode of payments out of the said revenues, and by suppressing or regulating certain offices therein mentioned, which are now paid out of the revenues of the civil list.

Cap. 83. For the better relief and employment of the poor.

Cap. 84. For better paving, cleansing, and lighting, part of the parish of *Saint George Hanover Square*, in the county of *Middlesex*, and such part of *Old Bond Street* as lies within the parish of *Saint James*, in the said county; and for removing and preventing nuisances and annoyances therein.

Cap. 85. For the improvement of *Portman Square*, within the parish of *Saint Mary le Bon*, in the county of *Middlesex*.

Cap. 86. For explaining and amending two acts, one made in the eleventh, and the other in the seventeenth year of his
present

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present Majesty, for paving certain streets in the parishes of *Saint John of Wapping*, and *Saint George* in the county of *Middlesex*, and for other purposes; and for extending the provisions of the said acts to other parts of the said parishes, and also for opening certain communications within the said parish of *Saint George*.

Cap. 87. For paving and freeing from nuisances and annoyances, the several streets, ways, and places, within the parish of *Saint Anne*, in the county of *Middlesex*, and *Queen-street* and *London-street*, in the hamlet of *Ratcliffe*, within the said parish; and for making ways or streets into the street called *Risby's Rope-ground*, and through or across *Shoulder of Mutton Alley*, and a street called *Ropemaker's fields*, to *Three Colt Street*, and from the bridge in the said street called *Risby's Rope-ground* into *Three Colt Street* aforesaid.

Cap. 88. To continue the term of an act, made in the twenty-fourth year of the reign of his late majesty King *George the Second*, for repairing and widening the road from *Preston* to *Lancaster*, and from thence to a place called *Heiring-syke*, that divides the counties of *Lancaster* and *Westmorland*.

Cap. 89. For extending the provisions of an act, made in the thirteenth year of his present Majesty, for more effectually amending several roads leading from the borough of *Truro*, in the county of *Cornwall*, to the roads leading from *Shortlanes End*, in the parish of *Kenwyn*, to *Callestock Burrow*, and from *The Two Burrows*, in the said parish, to *Perran almshouse*, and from *The Three Burrows*, in the said parish, to *Saint Agnes almshouse*, in the said county.

Cap. 90. For enlarging the term and powers of an act, passed in the first year of the reign of his present Majesty, for repairing and amending the road leading from *White Cross*, in the parish of *Leven*, in *Holderness*, in the east riding of the county of *York*, to the town of *Beverley*, in the said county.

Cap. 91. To confirm, and carry into execution, certain articles of agreement entered into between the right honourable *James earl of Salisbury*, and the trustees appointed by and under several acts of parliament, for repairing the road leading from *Galley Corner* adjoining to *Enfield Chace*, in the parish of *South Mims*, in the county of *Middlesex*, to *Lemnsford Mill*, in the county of *Hertford*; and for turning and altering the said road, in the manner mentioned in the said agreement.

Cap. 92. For continuing the term, and altering and enlarging the powers, of an act, made in the thirty-third year of his late Majesty, for repairing several roads leading to the town of *Oakhampton*, in the county of *Devon*.

Cap. 93. To continue and enlarge the term and powers of an act, made in the first year of the reign of his present Majesty, intituled, *An act for amending and widening the roads from the turnpike road upon Gatherley Moor*, in the county of *York*, to *Staindrop*, in the county of *Durham*; and from the said turnpike road near *Smallways*, across the river *Tees*, to *Winston*, in the said

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said county of Durham; and for building a bridge over the said river at or near Winston Ford.

Cap. 94. For enlarging the term and powers of an act, made in the thirty-second year of the reign of his late majesty King George the Second, intituled, *An act for repairing and widening the roads from a place called Littlegate, at the top of Leadenham Hill, in the county of Lincoln, to the west end of Barnby Gate, in Newark upon Trent; and from the guide-post at the division of Kelham and Muskam lanes to Mansfield, and from Southwell to Oxtun, in the county of Nottingham; and for repairing the road from the west side of Newark Bridge to the said guide-post.*

Cap. 95. For continuing the term and altering and enlarging the powers, of an act, of the second year of his present Majesty, *for amending and widening the road from the market-house in Stourbridge to Colly Gate, in Cradley, and other roads therein mentioned, in the counties of Worcester, Stafford, and Salop, so far as the same relates to the roads leading from the market-house in Stourbridge to Colly Gate, and from Pedmore to Holly Hall, and from Colly Gate to Halefowen; and for opening a more commodious communication with the Birmingham turnpike road.*

Cap. 96. For continuing the term, and altering and enlarging the powers, of an act, of the first year of his present Majesty, *for amending and widening the road from the town of Stone to Wordsley Green Gate; and from the west end of Bilston Street, in Wolverhampton, to The High Street, opposite The Old Bush, in Dudley; and from a place called Burnt Tree, near Dudley to Birmingham; and from The Market Cross in Wolverhampton, to Cannock; in the counties of Stafford, Worcester, and Warwick.*

Cap. 97. For enlarging the term and powers of an act, made in the thirty-third year of the reign of his majesty King George the Second, intituled, *An act for amending and widening the road from Bawtry to Sheffield, and from Sheffield to the south side of Wortley, in the county of York, where it joins the turnpike road leading from Rotherham to Manchester, so far as the same relates to the road leading from Bawtry aforesaid to Tinsley, and through part of the town of Tinsley, to the place where the same joins the road leading from Rotherham to Sheffield.*

Cap. 98. For continuing the term and altering the powers of an act of the first year of his present Majesty, *for amending the road from Dartford to Northfleet, and other roads therein mentioned, in the county of Kent; and for allowing an annual payment out of the tolls arising upon the said roads, to the trustees for the care of the road leading from Rochester to Maidstone, in the said county, to be applied for the purposes therein mentioned.*

Cap. 99. For enlarging the term and powers of an act, of the tenth year of his present Majesty, intituled, *An act for repairing and widening several roads leading to and through the borough of*

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of Tamworth, and other roads therein mentioned, in the counties of Stafford, Warwick, and Derby.

Cap. 100. For amending and keeping in repair the roads leading from the *Willersley* turnpike road, near *Parton*, to *Monkland Mill*; and from the turnpike road on *Fair Mile Field*, to the turnpike road at *Broad Heath*; and from the turnpike road at or near the *Fords Bridge*, to the turnpike road near *Stockton*; and from *Kyre Common*, to the turnpike road at *Grendon Green*, in the counties of *Hereford* and *Worcester*.

Cap. 101. To enlarge the term and powers of an act, made in the first year of the reign of his present Majesty, *for repairing and widening several roads leading to and through the towns of Weymouth and Melcombe Regis and Dorchester, in the county of Dorset*; and for repairing the road leading from the parish of *Warmwell*, through the parishes of *Poxwell* and *Osmington*, to the church in the said parish of *Osmington*, in the said county of *Dorset*.

Cap. 102. For continuing the term of an act, made in the second year of the reign of his present majesty, *for amending and widening the road leading from the high post road near the town of Faversham, by Bacon's Water, through Ashford, to the town and port of Hythe, in the county of Kent; and from Bacon's Water, to a certain lane called Holy Lane, in Wincheap, near the city of Canterbury.*

Cap. 103. For reviving and continuing the term, and enlarging the powers, of an act of the thirtieth year of his late majesty, intituled, *An act for amending, widening, and keeping in repair, several roads in and near to the town of Tenbury, in the counties of Salop, Worcester, and Hereford*; and for amending and keeping in repair the roads leading from *The Knowle Gate* to the turnpike road on the *Glce Hill*, leading from *Ludlow* to *Clesbury Mortimer*, and from *Kyre Mill* to the turnpike road leading from *Bromyard* to *Tenbury*, in the said counties.

Cap. 104. To continue and enlarge the term and powers of an act, made in the thirty-third year of the reign of his late majesty King George the Second, *for repairing and widening the roads from Haleworthy, in the parish of Davidstow, in the county of Cornwall, to the east end of Wadebridge, in the said county; and from the west end of Wadebridge aforesaid, into and through the borough of Mitchell, in the said county.*

Cap. 105. For amending, widening, and keeping in repair, the road from *Wrexham*, in the county of *Denbigh*, to *Barnhill*, in the county of *Chester*.

Cap. 106. For repairing and widening the road from *Tarporley*, in the county palatine of *Chester*, to *Acton Bridge*, near *Weverham*, in the same county.

Cap. 107. For enlarging the term and powers of so much of an act, made in the second year of the reign of his present Majesty, intituled, *An act for repairing and widening the high road leading from Ashborne, in the county of Derby, to the town of Leek, in the county of Stafford, and from Ryecroft Gate, upon*
Rushton

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Rushton Common, to Congleton, in the county of Chester; and also the road leading from Blyth Marsh, in the county of Stafford, through Cheadle, Oakamoor, and Blore, to the turnpike road, from Ashborne to Buxton; near Thorp, in the county of Derby; as relates to the district of road between Ashborne and Congleton; and for repairing the road from the end of Ashborne Church yard to the top of The Dig Street, in Ashborne aforesaid.

Cap. 108. To enlarge the term and powers of an act, passed in the thirty-third year of the reign of King George the Second, *for repairing the roads from the town of Brecon to the parish of Brobury, and to Whitney Passage, in the county of Hereford; and for building a bridge over the river Wye, at Bredwardine Passage, in the same county; so far as relates to such of the roads comprized in the said act as lie in the county of Hereford.*

Cap. 109. To enlarge the term and powers of an act, passed in the second year of his present Majesty, *for repairing and widening the road from the turnpike road at Wey Hill, in the county of Southampton, to the turnpike road at Lyde Way, in the county of Wilts.*

Cap. 110. To continue the term and alter the powers of an act, made in the twenty-ninth year of the reign of his late majesty King George the Second, intituled, *An act for repairing and widening the roads leading from a pond belonging to Henry Eyle esquire, in the parish of White Parish, in the county of Wilts, to the top of Dunwood Hill; and from thence, over Great Bridge and Middle Bridge, through Romsey-infra, to Hundred Bridge, in the county of Southampton, and from thence to the county of the town of Southampton.*

Cap. 111. For enlarging the term and powers of an act, made in the first year of the reign of his present Majesty, intituled, *An act for repairing and widening the road from the borough of Appleby, in the county of Westmorland, through the township of Orton, to Kirby Kendall, and from Orton to the turnpike road near Shapp, and from Highgate, near Tebay, in a part of the highway between Appleby and Kirby Kendall, through the town of Kirby Steven, to the town of Market Brough, in the said county.*

Cap. 112. For repairing and widening the roads from a place called *The Hardwicke*, in the parish of Clifford, to *Windmill Hill*, and from *Vowchurch* to *Pontrilas*, in the county of Hereford.

Cap. 113. For repairing and widening the road from the town of *Brecon*, through the town of *Hay*, in the county of *Brecon*; and also the road through *Marish Lane*, to the *Builth* and *Hay* turnpike road, near the village of *Llyswen*, in the same county.

Cap. 114. To repeal so much of an act, passed in the second year of the reign of his present Majesty, *for repairing and widening the road from Flimwell Vent, in the county of Sussex, through Highgate, in the county of Kent, and the parishes of Sandhurst, Newenden,*

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Newenden, and Northiam, to Rye, in the said county of *Sussex*; and from Highgate aforesaid, to Cooper's Corner, in the said county of *Sussex*, and to Tubb's Lake, in the said county of *Kent*; as relates to the road from Highgate to Tubb's Lake; and for enlarging the term and powers of the said act with respect to the other roads therein contained.

Cap. 115. To enlarge the term and powers of several acts passed in the eleventh, twenty-sixth, and twenty-ninth years of the reign of his majesty King George the Second, for repairing the roads from Shoeditch Church, through Hackney, to Stamford Hill, and cross Cambridge Heath, over Bethnal Green, to the turnpike at Mile End, in the county of *Middlesex*.

Cap. 116. To enlarge the term and powers of two acts, passed in the second and eleventh years of his present Majesty's reign, so far as the same relate to the road from Blyth Marsh to the road leading from Ashborne to Buxton, near Thorp, and from the road between Cheadle and Leek to the turnpike road above Frogall Bridge, and from the same road to the road at or near Raibill Gate, in the counties of *Stafford* and *Derby*.

P R I V A T E A C T S.

1. **A**N act for naturalizing *Henry Meier* and *Herman Diederick Reiberg*.

2. An act for allotting part of *Minsterworth Ham*, in the parish of *Minsterworth*, in the county of *Gloucester*, to *Charles Barrow* esquire, his heirs and assigns, in lieu of his common rights thereupon; and for allowing exchanges within the said parish.

3. An act for naturalizing *John Claudius Bilet*.

4. An act for naturalizing *Charles Frederick Schmoil*.

5. An act for naturalizing *Frederick Tschiffeli*.

6. An act for dividing and inclosing a certain part of the forest of *Mendip*, and a piece of waste land called *Windsor's Hill*, situate within the parish of *Shepton Mallet*, in the county of *Somerset*.

7. An act for vesting divers manors, lands, and hereditaments, in the county of *Hertford*, late the estate of *John lord Manson*, deceased, in trustees, to be sold, and disposed of in and for the payment of his debts and certain of the legacies and portions given by his will and codicil, and for other purposes therein mentioned.

8. An act for dividing, inclosing, and improving the several commons and waste grounds within the manor of *Honley*, in the parish of *Almondbury*, in the county of *York*, and for abolishing or settling certain other rights or claims within the said manor.

9. An act for confirming and carrying into execution certain agreements entered into by *John Pitt* esquire, surveyor general

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neral of his Majesty's woods and forests, with *Benjamin Planner*, and others, relating to certain waste lands, and other lands, in the parish of *Egham*, in the county of *Surrey*, and for vesting the same in the said *John Pitt*, and his heirs, in trust for his Majesty, his heirs and successors, and to effectuate the other purposes therein mentioned.

10. An act for discharging part of the settled estates of *John Burridge Cholwich* esquire, in the county of *Devon*, from the uses and trusts of his marriage settlement, and for settling other estates in the said county, in lieu thereof.

11. An act for discharging the manor of *Imley*, otherwise *Evenley*, and divers messuages, lands, tenements, and hereditaments, in *Imley* otherwise *Evenley* aforesaid, and elsewhere in the county of *Northampton*, part of the estate of sir *Francis Bassett*, of *Tehidy Park*, in the county of *Cornwall*, baronet, from the uses, estates, and trusts, declared concerning the same, in and by the last will and testament of *Francis Bassett*, late of *Tehidy Park* aforesaid, esquire, deceased, and for settling another manor and other lands and hereditaments of greater value in lieu thereof to the like uses.

12. An act to dissolve the marriage of *John Newton* esquire, with *Catharine Seymour*, his now wife, and to enable him to marry again, and for other purposes therein mentioned.

13. An act for vesting the freehold and inheritance in fee of part of the estates heretofore of the right honourable *Henrietta Cavendish Holles*, countess of *Oxford*, and countess *Mortimer*, deceased, in trustees, in trust, to sell and dispose of so much thereof as may be sufficient to pay off and discharge the debts, legacies, and other remaining incumbrances affecting the whole of the estates late of her the said countess, which were devised by her will, and for other purposes therein mentioned.

14. An act for vesting in trustees a competent part of the settled estates of the most noble *Henry duke of Newcastle*, in the parishes of *Saint Clement Danes*, and *Saint Giles in the Fields*, for the purpose of raising on mortgage, or otherwise, such sums of money as shall be found expedient to be raised and applied for making and opening a new street therein mentioned, from the east end of the *New Church* in the *Strand*, to the south end of *Stanhope Street*, and for defraying all necessary costs, charges, and expences, attending the same.

15. An act for vesting part of the estates of *Robert* late earl of *Holderness*, deceased, in the county of *York*, in trustees, for a term of years, for raising and payment of the sum of five thousand pounds, charged by the will of the said earl on his said estates.

16. An act for sale of an annual fee farm rent of one hundred pounds, payable to the use of *Ely*, out of certain estates in and near *Hatton Garden*, in the county of *Middlesex*, and for applying the money to arise from such sale in manner therein mentioned.

17. An act for enabling the trustees for sale of part of the settled

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settled estates of *John Newnham* esquire, in the counties of *Huntingdon*, *Middlesex*, and *Suffex*, and in the cities of *London* and *Canterbury*, to make an indemnity to the purchasers of certain parts thereof, against the perpetual annual sums or payments to which such parts are liable.

18. An act for dividing and inclosing the open and common fields, common meadows, pastures, and commonable and waste lands, within the manor and parish of *Winstone*, in the county of *Gloucester*.

19. An act for dividing, and allotting in severalty, the open and common fields and downs, common meadows, common pastures, and commonable places, within the parish of *Kingston Deverill*, in the county of *Wills*.

20. An act for dividing and inclosing a carr or common called *Thormanby Carr*, within the parish of *Thormanby*, in the north riding of the county of *York*.

21. An act for dividing and inclosing certain open common fields, meadows, pastures and other commonable lands, and grounds, within the township of *Bolam*, in the parish of *Gainford*, in the county of *Durham*.

22. An act for dividing and inclosing the open and common fields, meadows, pastures, and other commonable lands and grounds, in the manor of *Calverton*, with the west side of *Stoney Stralsford*, in the county of *Buckingham*.

23. An act for dividing, allotting, and inclosing the open fields, meadows, pastures, commons, and commonable places, in the parish of *Otton on the Hill*, in the county of *Leicester*, and the lands within the ring of the said fields, reputed to belong formerly to the abbey of *Merevale*.

24. An act for dividing, inclosing, and allotting certain moors, commons, or waste lands, lying and being within the parish of *Wookey*, in the county of *Somerset*.

25. An act for dividing, allotting, and inclosing the open and common fields, common pastures, common meadows, and other commonable lands and grounds, of and within the parish of *Great Creaton*, in the county of *Northampton*, and the hamlet of *Little Creaton*, in the parish of *Spratton*, in the said county.

26. An act for dividing and inclosing the open common fields, and commonable places, within the parish of *Stanton Saint Quintin*, in the county of *Wills*.

27. An act for dividing, allotting, and inclosing, the open and common fields, common pastures, common meadows, and other commonable lands and grounds of and within the manors and liberties of *Piddington* and *Hackleton*, in the parish of *Piddington*, in the county of *Northampton*.

28. An act for dividing, allotting, and inclosing, certain open and common fields, common meadows, common pastures, and common downs, in the hamlet or tything of *Eastington*, otherwise *Northleach Foreign*, in the manor of *Eastington*, and parish of *Northleach*, in the county of *Gloucester*.

29. An act for inclosing and leasing a piece of waste land called

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called *The Marsh*, within the parish and borough of *Newcastle under Lyme*, in the county of *Stafford*, and applying the profits thereof in aid of the poors rates of the said parish and borough.

30. An act for dividing, allotting, and inclosing the open fields, meadows, pastures, commons, and commonable places, within the lordship or liberty of *Sandiacre*, in the county of *Derby*.

31. An act for confirming a certain piece of ground, part of the common of *Norwood*, in the parish of *Batcombe*, in the county of *Somerset*, to the rector of the said parish; and for vesting the same, together with an additional piece of ground, other part of the said common, in him and his successors, in lieu of all right of common and tithes belonging to the rectory of *Batcombe*, in or within the said common of *Norwood*; and for confirming all the several other parts of the said common to the several proprietors thereof, discharged of all right of common and tithes belonging to the said rectory.

32. An act for vesting the estates late in jointure to dame *Sarah Fowler* widow, in trustees, to be sold, conveyed, and settled, pursuant to a decree of the court of exchequer.

33. An act for naturalizing *Henry Eggers*.

The END of the TABLE.

T H E

Statutes at Large,

Anno vicesimo tertio GEORGII III. Regis.

Being the THIRD Session of the

Fifteenth Parliament of GREAT BRITAIN.

V O L. XXXIV. P A R T II.

A
T A B L E
OF THE
S T A T U T E S
P U B L I C K and P R I V A T E,

Passed Anno vicesimo tertio

G E O R G I I I I I. *Regis.*

Being the Third Session of the Fifteenth Parliament of
Great Britain.

P U B L I C K A C T S.

Cap. I. **T**O permit the importation of wheat, wheat flour, rye, rye flour, barley, and all sorts of corn, grain, and meal, upon payment of the low duties therein mentioned, for a limited time.

Cap. 2. To continue an act, made in the last session of parliament, intituled, *An act more effectually to prevent his Majesty's enemies from being supplied with ships or vessels from Great Britain.*

Cap. 3. For granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and eighty-three.

Cap. 4. For continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and eighty-three.

Cap. 5. For continuing an act, passed in the twenty-second year of the reign of his present Majesty, intituled, *An act for restraining sir Thomas Rumbold, baronet, and Peter Perring, esquire, from going out of this kingdom, for a limited time; and for discovering their estates and effects, and preventing the transporting or alienating the same.*

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Cap. 6.

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Cap. 6. To continue several laws, relating to the regulating the fees of officers of the customs and naval officers in *America*; to the allowing the exportation of certain quantities of wheat, and other articles, to his Majesty's sugar colonies in *America*; to the permitting the exportation of tobacco-pipe clay from this kingdom to the *British* sugar colonies or plantations in the *West Indies*; and to the repealing the duties upon pot and pearl ashes, wood and weed ashes, imported into *Great Britain*, and for granting other duties in lieu thereof.

Cap. 7. For the regulation of his Majesty's marine forces while on shore.

Cap. 8. For continuing several acts passed for the better regulation of lastage and ballastage in the river *Thames*.

Cap. 9. For allowing the importation of rice, paddy, *Indian* corn, *Indian* meal, and maize, free from duty, for a limited time.

Cap. 10. For further continuing an act, made in the nineteenth year of the reign of his present Majesty, for allowing the importation of fine organzined Italian thrown silk in any ships or vessels, for a limited time.

Cap. 11. To amend an act, made in the twenty-fourth year of the reign of King George the Second, intituled, *An act for the more effectual securing the duties upon tobacco*; to prohibit the importation of currants into *Great Britain* in small packages; to repeal such part of the proviso in an act of the eighteenth year of the reign of his present Majesty, as permits *Portugal* and *Spanish* wines, and other wines, (except *French* wines) to be imported in small casks for private use; and for taking off the inland duty payable upon the importation of cocoa nuts into this kingdom, upon the exportation thereof as merchandize.

Cap. 12. For raising a certain sum of money by loans or exchequer bills, for the service of the year one thousand seven hundred and eighty-three.

Cap. 13. For more effectually draining and preserving certain lands and grounds within the level of *Hatfield Chase*, and parts adjacent, in the counties of *York*, *Lincoln*, and *Nottingham*.

Cap. 14. For allowing the importation of goods from *Europe* in neutral ships into the islands of *Saint Christopher*, *Nevis*, *Montserrat*, *Dominica*, *Saint Vincent*, *Grenada*, and the *Grenadines*; and of goods the produce or manufacture of the said islands and of *Tobago* and *Saint Lucia*, from thence into this kingdom; in such ships, upon payment of the *British* plantation duties, for a limited time; for permitting certain goods, the produce of those islands, secured in warehouses in this kingdom, to be taken out, on payment of the *British* plantation duties, and to cancel certain bonds entered into for payment of the duties due thereon; for further continuing certain temporary acts for the encouragement of trade; and to repeal an act, made in the twenty-second year of his Majesty's reign, for allowing the importation of goods the growth of *Saint Christopher*, *Nevis*, and *Montserrat*, into any of his Majesty's dominions in *Europe* or *America*.

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Cap. 15. For rendering more effectual the provisions contained in an act of the thirteenth year of King *George the First*, for preventing frauds and abuses in the dying trade.

Cap. 16. For authorizing the treasurer of the navy to pay to the garrison and naval department at *Gibraltar*, the like bounty for destroying certain *Spanish* ships of war, as is allowed to the officers and men on board any of his Majesty's ships of war taking or destroying ships of war belonging to the enemy.

Cap. 17. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

Cap. 18. For rendering the payment of creditors more equal and expeditious, in that part of *Great Britain* called *Scotland*; and for making perpetual so much of an act, made in the twelfth year of his present Majesty's reign, as relates to bills and promissory notes.

Cap. 19. For repealing an act, made in the last session of parliament, for compelling *John Whitehill* esquire to return into this kingdom, and for other purposes; and for vesting in the said *John Whitehill* his estate and effects forfeited in consequence of the said act; and for restraining him from going out of this kingdom for a limited time; and for discovering his estate and effects, and preventing the transporting or alienating the same.

Cap. 20. For building a new shire-hall and guildhall for the county of *Salop*, and the town of *Shrewsbury*, in the said county; and for the other purposes therein mentioned.

Cap. 21. For granting a bounty upon the exportation of *British* and *Irish* buckrams and tillettings, *British* and *Irish* linnens, *British* callicoes and cottons, or cotton mixed with linen, printed, painted, stained, or dyed, in *Great Britain*.

Cap. 22. For allowing further time for inrollment of deeds and wills made by papists, and for relief of protestant purchasers.

Cap. 23. To prevent prisoners in the *King's Bench* prison, or the rules thereof, or their families or servants, gaining settlements in the parish of *Saint George the Martyr*, in the borough of *Southwark*, and county of *Surrey*; and for the relief of the said parish, with respect to the families of prisoners in the said *King's Bench*, or the *Marshalsea* prison, or in the county goal, or house of correction belonging to the said county; for regulating the manner of choosing overseers of the poor; and for appointing collectors of the poor's rates, within the said parish.

Cap. 24. For continuing an act, made in this session of parliament, intituled, *An act for punishing mutiny and desertion, and for the better payment of the army and their quarters*: so far as the same relates to the realm of *Great Britain*.

Cap. 25. To enable the corporation of the governor, bailiffs, and commonalty, of the company of conservators of the great level of the fens, to sell their taxes of certain lands within the middle and south levels, part of the said Great level, which

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have been or may be dug for turf; and to apply the money arising from such sale, towards discharging the bond debts of the said corporation upon account of those levies.

Cap. 26. To repeal so much of two acts, made in the sixteenth and seventeenth years of the reign of his present Majesty, as prohibits trade and intercourse with the united states of America.

Cap. 27. To ascertain and establish the boundaries of and between the hospital of *Bridewell* and the *Precincts* thereunto belonging, and the parish of *Saint Ann Black Friars*, in the city of *London*, as therein specified.

Cap. 28. For removing and preventing all doubts which have arisen, or might arise, concerning the exclusive rights of the parliament and courts of *Ireland*, in matters of legislation and judicature; and for preventing any writ of error or appeal from any of his Majesty's courts in that kingdom from being received, heard, and adjudged, in any of his Majesty's courts in the kingdom of *Great Britain*.

Cap. 29. For rendering effectual an act, made in the sixteenth year of the reign of his present Majesty, for the relief and employment of the poor within the hundred of *Foret* the county of *Norfolk*.

Cap. 30. To indemnify such persons as have qualified themselves for offices and employments; and to indemnify justices of the peace, or others, who have registered or deliver in their qualifications within the limits by law, and for giving further time for those persons, and to indemnify members and officers, in cities, counties, and borough towns, whose admissions have been omitted to be stamped according to law, or, having been stamped, have been lost or mislaid; and for allowing them time to provide admissions duly stamped; and to give further time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors.

Cap. 31. For better paving, cleansing, lighting, and watching, the streets, lanes, yards, courts, alleys, and passages, within the parish of *Saint Mary*, at *Rotherhithe* otherwise *Redriffe*, in the county of *Surry*, and for removing and preventing nuisances and annoyances therein.

Cap. 32. For amending an act made in the last session of parliament, for the better relief and employment of the poor of the parish of *Saint John of Wapping*, in the county of *Middlesex*; and for providing a proper workhouse and burial ground for the use of the said parish; and for opening certain communications, and making certain streets, within the said parish.

Cap. 33. To amend and render more effectual several acts passed in the sixth, tenth, fifteenth, and sixteenth years of the reign of his present Majesty, for making a navigable canal from the *Trent* to the *Mersey*; and a branch from the said canal to *Frog-hall*, and a rail-way from thence to or near *Caldon*, in the county of *Stafford*.

Cap. 34.

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Cap. 34. For removing certain disabilities and incapacities, occasioned by the attainder of *David Ogilvy of Airly esquire*.

Cap. 35. For raising a certain sum of money by way of annuities, and for establishing a lottery.

Cap. 36. To discharge and indemnify the united company of merchants of *England* trading to the *East Indies*, from all damages, interest, and losses, in respect to their not making regular payment of certain sums due, and to become due, to the publick, and to allow further time for such payment; and to enable the company to borrow a certain sum of money; and to make a dividend of four pounds *per centum* to the proprietors at *Midsummer*, one thousand seven hundred and eighty-three.

Cap. 37. To repeal an act, made in the twentieth year of the reign of his present Majesty, intituled, *An act to continue, for a limited Time, so much of an act, made in the last session of parliament, "for the more easy and better recruiting his Majesty's land forces and marines," as relates to the encouragement of volunteers.*

Cap. 38. For making and maintaining a navigable canal from the river *Thames* or near *Leachlade*, to join and connect the same with the canal at *Wallbridge*, near the town of *Cirencester*, in the county of *Gloucester* and *Wilts.*

Cap. 39. For preventing certain instruments from being required from ships belonging to the United States of *America*; and to give to his Majesty, for a limited time, certain powers for the better carrying on trade and commerce between the subjects of his Majesty's dominions and the inhabitants of the said United States.

Cap. 40. For defraying the charge of the pay of the militia, and of the cloathing for the serjeants and drummers of the militia, in that part of *Great Britain* called *England*, for one year, beginning the twenty-fifth day of *March*, one thousand seven hundred and eighty-three.

Cap. 41. For empowering persons navigating vessels upon the river *Trent*, between a place called *Wilden Ferry*, in the counties of *Derby* and *Leicester*, or one of them, and the town of *Burton upon Trent*, in the county of *Stafford*, to hale the same with horses.

Cap. 42. For better paving, cleansing and lighting the parish of *Saint Paul Covent Garden*, within the liberty of *Westminster*, and certain places adjoining thereto; and for removing and preventing nuisances and annoyances therein.

Cap. 43. For better paving, cleansing, and lighting, the parish of *Saint Anne*, and such part of *Cock Lane* as lies in the parish of *Saint Martin in the Fields*, within the liberty of *Westminster*; and for removing and preventing nuisances and annoyances therein.

Cap. 44. For amending, and rendering more effectual, an act made

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made in the fifteenth year of the reign of his Majesty, intitled, *An act for building a new bridge, and employment of the poor within, and enwell in the county of Middlesex.*

Cap. 45. For regulating the judges of the court of justice, and circuit courts, in Scotland.

Cap. 46. For widening the north-west end of *Fenchurch-street*, and the south end of the *Old Jewry*, within the city of London.

Cap. 47. For altering and varying the powers of an act, passed in the sixth year of the reign of King George the First, for making the river Douglas alias Asland, navigable, from the river Ribble to Wigan, in the county of Palatine of Lancaster; and for enabling the company of proprietors of the Leeds and Liverpool canal, incorporated by an act passed in the tenth year of his present Majesty's reign, to purchase the said river navigation; for amending the said last-mentioned act; for incorporating and consolidating the said two navigations; and for other purposes.

Cap. 48. For improving the navigation of the river Trent from a place called *Wilden Ferry*, in the counties of Derby and Leicestershire, or one of them, to *Gainsborough*, in the county of Lincoln; and for empowering persons navigating vessels in the said river to hale the same with horses.

Cap. 49. For repealing an act, made in the twentieth year of his present Majesty, intitled, *An act for the better regulation of the stamp-duty upon inland bills of exchange, promissory notes, and other notes, payable otherwise than upon demand*; and for granting stamp-duties on bills of exchange, promissory and other notes; and also stamp-duties on receipts.

Cap. 50. For the better regulation of the office of the paymaster general of his Majesty's forces, and the more regular payment of the army; and to repeal an act made in the last session of parliament, intitled, *An act for the better regulation of the office of paymaster general of his Majesty's forces.*

Cap. 51. To repeal an act, made in the fifth year of the reign of Queen Elizabeth, intitled, *An act for further punishment of vagabonds calling themselves Egyptians.*

Cap. 52. For punishing mutiny and desertion; and for the better payment of the army and their quarters, within the realm of Great Britain.

Cap. 53. To enable the commissioners of supply of the several counties therein mentioned, in that part of Great Britain called Scotland, to assess and levy certain sums for relieving such of the inhabitants of the said counties as have been reduced to indigence by the failure of the last year's crop of corn; and to enable his Majesty, during the next recess of parliament, by and with the advice of his privy council, to permit the importation of corn into the said counties for a limited time, and in ships or vessels belonging to any state in amity with his Majesty, navigated by foreign seamen.

Cap. 54. For providing a proper warehouse, within the parish of *St. Dunstons*, in the city of London, for the deposit of the

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the county of *Warwick*, and for better
the said parish.

the goal for the town and county of
Hull; for purchasing an additional
burial ground for the use of the parish of the *Holy Trinity*, in
the said town; for regulating the fares of hackney coachmen,
chairmen, and porters, and the prices of carriage of goods;
for altering the time of lighting lamps; for ascertaining the
breadth of party walls; and for preventing certain nuisances
within the said town, liberties, and precincts thereof, for
amending an act of the fourteenth year of the reign of his pre-
sent Majesty, for making and establishing publick quays or wharfs
at Kingston upon Hull, in respect to such as are or may be
built opposite to certain staiths in the said act described; and for
other purposes.

Cap. 56. To allow the drawback of the whole duty of
customs upon the exportation of rice.

Cap. 57. For the sale of prize goods secured in warehouses in
his kingdom, for which the duties are not paid, or the goods
exported, within a limited time.

Cap. 58. For granting to his Majesty several additional and
new duties upon stamped vellum, parchment, and paper; and
also for repealing certain exemptions from the stamp-duties.

Cap. 59. To provide that the proceedings on the bill, now
depending in parliament, for inflicting certain pains and penalties
on *sir Thomas Rumbold baronet*, and *Peter Perring esquire*, for
certain breaches of publick trust, and high crimes and misdemeanors,
committed by them whilst they respectively held the offices of governor
and president, counsellors, and members of the select committee of the
settlement of Fort Saint George, on the coast of Coromandel, in
the East Indies, shall not be discontinued by any prorogation or
dissolution of parliament.

Cap. 60. For further continuing so much of an act, passed in
the twenty-second year of the reign of his present Majesty, intitu-
led, *An act for restraining sir Thomas Rumbold baronet*, and
Peter Perring esquire, from going out of this kingdom, for a limited
time; and for discovering their estates and effects, and preventing
the transporting or alienating the same, as relates to restraining the
said *sir Thomas Rumbold baronet*, and *Peter Perring esquire*,
from alienating or otherwise disposing of their respective real
estates.

Cap. 61. For vesting in *Henry earl of Pembroke*, his heirs and
assigns, for ever, the fee-simple and inheritance of the hundred
of *Kynwardston*, and certain lands and hereditaments in the pa-
rishes of *Great Bydwynd* and *Burbage*, in the county of *Wilt*; and
for settling other lands and hereditaments in lieu thereof to the
same uses.

Cap. 62. For granting to his Majesty a stamp-duty on licen-
ces to be taken out by certain persons uttering or vending me-
dicines; and certain stamp-duties on all medicines sold under
such

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such licences, or under the authority of his Majesty's letters patent.

Cap. 63. For granting to his Majesty, an additional duty upon stage coaches, and other carriages herein mentioned.

Cap. 64. For taking away from the commissioners of excise, in *England* and *Scotland*, the power of compounding with persons making malt not to sell, but to be consumed in their own private families.

Cap. 65. For repealing an act, made in the fifth year of the reign of his present Majesty, intituled, *An act for repealing the act made in the last session of parliament, intituled, "An act for vesting the fort of Senegal, and its dependencies, in the company of merchants trading to Africa;"* and to vest as well the said fort and its dependencies, as all other the British forts and settlements upon the coast of Africa, lying between the port of Sallee and Cape Rouge, together with all the property, estate, and effects of the company of merchants trading to Africa, in or upon the said forts, settlements, and their dependencies, in his Majesty; and for securing, extending, and improving the trade to Africa, and for vesting James Fort, in the river Gambia, and its dependencies, together with all the British forts and settlements between the port of Sallee and Cape Rouge, in the company of merchants trading to Africa, and for securing and for regulating the trade to Africa.

Cap. 66. For granting to his Majesty several duties upon waggons, wains, carts, and other vehicles, charged with any duty under the management of the commissioners of excise.

Cap. 67. For granting to his Majesty a stamp duty on the registry of burials, marriages, births, and christenings.

Cap. 68. For appointing and enabling commissioners further to examine, take, and state the publick accounts of the kingdom.

Cap. 69. To enable the adjutant general of his Majesty's forces, and the comptrollers of army accounts, to send and receive letters and packets free from the duty of postage.

Cap. 70. For the more effectual preventing the illegal importation of foreign spirits, and for putting a stop to the private distillation of British made spirituous liquors; for explaining such part of the act, imposing a duty upon male servants, as relates to the right of appeal from the justices of the peace; to amend and rectify a mistake in an act of the last session of parliament, with respect to the removal of tea from one part of this kingdom to other parts thereof; and for preventing vexatious actions against officers of excise acting in pursuance of the authority given by excise statutes.

Cap. 71. For making compensation to the proprietors of certain messuages, lands, tenements, and hereditaments, in pursuance of an act made in the last session of parliament, to vest certain messuages, lands, tenements, and hereditaments, in trustees, for the better securing his Majesty's docks, ships, and stores, at Portsmouth and Chatham.

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Cap. 72. For raising a further sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and eighty-three.

Cap. 73. For the more easy and speedy recovery of small debts within the town and liberties of *Stretsbury*, in the county of *Salop*.

Cap. 74. For altering the duties and drawbacks upon plain muslins, unrated muslins and calicoes, and nanquin cloths.

Cap. 75. For repealing so much of an act made in the twenty-first year of the reign of his present Majesty, as took off the duties payable upon the importation of that species of blue called *Smalts*; and for granting relief to the owners or proprietors of tobacco, of the growth of that part of *Great Britain* called *Scotland*, which shall not be worth the duties imposed thereon by an act of the last session of parliament.

Cap. 76. For the better preventing frauds in the landing and removing of wines in this kingdom; and to prevent the relanding of refined sugar entered for exportation, to obtain the drawback or bounty.

Cap. 77. For the more effectual encouragement of the manufacture of flax and cotton in *Great Britain*.

Cap. 78. For granting to his Majesty a certain sum of money out of the sinking fund; and for applying certain monies therein mentioned for the service of the year one thousand seven hundred and eighty-three; and for further appropriating the supplies granted in this session of parliament.

Cap. 79. For the further encouraging the growth of coffee and cocoa nuts, in his Majesty's islands and plantations in *America*.

Cap. 80. For appointing commissioners to enquire into the losses and services of all such persons who have suffered in their rights, properties, and professions, during the late unhappy dissensions in *America*, in consequence of their loyalty to his Majesty, and attachment to the *British* government.

Cap. 81. For preventing the exportation of corn, grain, or meal, with a bounty, during the operation of two acts, passed in this present session of parliament, for allowing the importation of corn.

Cap. 82. For establishing certain regulations in the receipt of his Majesty's exchequer.

Cap. 83. For granting relief to the united company of merchants of *England* trading to the *East Indies*, by allowing further time for the payment of certain sums due, and to become due to the publick, and by advancing to the said company, on the terms therein mentioned, a certain sum of money to be raised by loans or exchequer bills; and to enable the said company to make a dividend of four pounds *per centum*; to the proprietors at *Christmas*, one thousand seven hundred and eighty-three; and to regulate the future payment of debentures of drawbacks on *East India* goods.

Cap. 84.

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Cap. 84. To enable his Majesty by loans or exchequer bills debts due and owing on the civil

Cap. 85. For settling and securing the right honourable sir *George Augustus Elliott*, knight of the most honourable order of the Bath, in consideration of the eminent services performed by him to his Majesty and this country.

Cap. 86. For settling and securing a certain annuity on *George lord Rodney*, and the two next persons to whom the barony of *Rodney* shall descend, in consideration of the eminent services performed by the said *George lord Rodney* to his Majesty and the publick.

Cap. 87. For vesting certain messuages, lands, tenements, and hereditaments, in trustees, for the further securing his Majesty's docks, ships, and stores, at *Portsmouth*; and for the more safe and convenient carrying on of his Majesty's gunpowder works and mills; near the town of *Faversham*.

Cap. 88. To extend the provisions of an act, (intituled, *An act to amend and make more effectual the laws relating to vagabonds, and other idle and correction*) to certain cases

Cap. 89. For better paving the parish of *Saint Clement Danes*, and certain places adjoining thereto; and for removing and preventing nuisances and annoyances therein.

Cap. 90. For better paving, cleansing, and lighting, the parish of *Saint Martin in the Fields*, within the liberty of *Westminster*, and certain places adjoining thereto; and for removing and preventing nuisances and annoyances therein.

Cap. 91. For paving and regulating *Church lane*, in and near the parishes of *Saint Mary Whitechapel*, and *Saint George* in the county of *Middlesex*, and several other streets, avenues, and places, within the same parish of *Saint Mary Whitechapel*, and preventing annoyances therein; and for enabling the inhabitants of the said parish of *Saint Mary Whitechapel*, to raise money to defray the expences incurred in repairing the parish church.

Cap. 92. For making and maintaining a navigable canal from a place near *Rider's Green*, in the county of *Stafford*, to *Broadwater* fire engine, and six collateral cuts from the same, to several coal mines; and also a navigable canal from or near the town of *Birmingham*, to join the *Coventry* canal at or near *Fazeley*, in the parish of *Tamworth*, in the said county of *Stafford*, with a collateral cut to the lower part of the said town of *Birmingham*.

Cap. 93. To enlarge the term and powers of an act, passed in the second year of the reign of his present Majesty, for amending, widening, altering, and keeping in repair, the road from the south end of *Sparrows Herne* on *Bushy Heath*, through the market towns

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town of Welford, Berkhamsted, Saint Peter's, and Tring, in the county of Hertford, by Pettipher's Elms, to the turnpike road at Watlington, near Aylesbury, in the county of Bucks.

Cap. 94. For continuing the term, and altering and enlarging the powers of several acts of parliament therein mentioned, so far as the same relate to the repairing and amending of the roads leading from *Leeds*, through *Bradford* and *Horton*, and through *Bowling* and *Wibsey*, to *Halifax*, and also the roads called *Bowling lane* and *Little Horton lane*, in the west riding of the county of *York*.

Cap. 95. To enlarge the term and powers of two acts, made in the fourteenth and twenty-sixth years of the reign of King *George the Second*, for repairing the roads from *Doncaster*, through *Ferrybridge*, to the south side of *Tadcaster Cross*; and also from *Ferrybridge* to *Wetherby*, and from thence to *Boroughbridge*, in the county of *York*; so far as the same relate to the road between *Ferrybridge* and *Wetherby*, and from thence to *Boroughbridge*.

Cap. 96. For enlarging the term and powers of an act, passed in the first year of the reign of his present Majesty, intituled, *An act for repairing and widening the roads from Dyed Way to Barmston, and from Gawbridge to Tintinhull Fords, and from a stream of water called Ford, to Cartgate in Martock, in the county of Somerset.*

Cap. 97. For continuing and amending two acts, of the ninth and twenty-seventh years of his late Majesty, for repairing and widening the road from *Saint Dunstan's Cross*, near the city of *Canterbury*, to the water-side at *Whitstable*, in the county of *Kent*.

Cap. 98. For continuing the term and altering and enlarging the powers of an act of the second year of his present Majesty, for amending, widening, and keeping in repair, several roads leading from *Cleobury Mortimer*, the *Cross Houses*, *Glazeley*, and the turnpike gate on *Abberley Hill*, in the counties of *Salop* and *Worcester*.

Cap. 99. To enlarge the term and powers of an act, made in the second year of his present Majesty's reign, for repairing, widening, and altering the road from *Sandon*, in the county of *Stafford*, to *Bullock Smithy*, in the county of *Chester*; and from *Hilderstone* to *Draycott* in the *Moors*; and from *Wetley Rocks* to *Tean*, in the said county of *Stafford*.

Cap. 100. For continuing the term, and altering and enlarging the powers of an act of the third year of his present Majesty, for repairing the roads from *Maidenhead Bridge* to *Reading*, and from the said bridge to *Henley Bridge*, in the county of *Berks*.

Cap. 101. For continuing and enlarging the term and powers of an act, made in the third year of the reign of his present Majesty, for repairing and widening the road from *Lawton*, in the county of *Chester*, to *Burslem* and *Newcastle under Lyme*, in the county of *Stafford*, and other roads therein mentioned.

Cap. 102. For enlarging the term and powers of an act, made in

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in the first year of the reign of

An act for making, widening, and casting side of the Goswell Street Road of Middlesex, and near to the road fields and grounds, to Old Street Road Bar, and at and from The Doghouse Bar to the end of Chiswell street, by The Artillery Ground.

Cap. 103. For repairing and widening the roads leading from *Wetherby to Knaresborough*, in the county of *York*.

Cap. 104. For amending and widening the road from the passage or ferry over the river *Severn* at *Newnham*, in the county of *Gloucester*, through the parishes of *Newnham* and *Little Dean*, to a place called *Saint White's*, adjoining his Majesty's forest of *Dean*, in the said county.

Cap. 105. For continuing and amending an act of the third year of his present Majesty, *for repairing and widening the road leading from the town of Stafford, to Sandon, in the county of Stafford, and several other roads in the counties of Salop and Stafford.*

Cap. 106. For completing and keeping in repair the road from the *Ram inn*, in the town of *Gloucester*, through the town of *Wae-field Corner*, near the sixteen and a road from thence through *Swanwick*, to or near *Lambridge* near the city of *Bath*; and for continuing the present road from the said corner to or near the monument upon *Lansdown*, until the intended road from the said corner to or near *Lambridge* be made fit for travelling.

Cap. 107. To revive and render more effectual an act passed in the thirtieth year of the reign of his late majesty King *George the Second*, *for repairing the road from Markfield Turnpike, in the county of Leicester, over Charley otherwise Charnwood Forest, through the town of Whitwick, and from thence through Talbot Lane, to where the road leading from the town of Loughborough, to the town of Ashby de la Zouch, in the said county, comes in from Ryley Lane, near to a place called Snape Gate.*

Cap. 108. For enlarging the term and powers of an act, made in the second year of the reign of his present majesty King *George the Third*, intituled, *An act for widening, repairing, and amending the road from Helsket, by Yewes Bridge, to Cocker-mouth; and from thence, by Lorton, over Whitlatter, to Kefwick, in the county of Cumberland; and from Kefwick, by Dum-mail Rays and Ambleside, to Kirby in Kendall, in the county of Westmoreland; and from Plumbgarth's Cross, near Kirby in Kendall aforesaid, to the lake called Windermere, in the county of Westmoreland; and from Kefwick aforesaid, to the town of Penrith, in the county of Cumberland.*

Cap. 109. For enlarging the term and powers of an act, passed in the second year of his present Majesty's reign, *for altering, widening, and amending the road from the north gate of the city of Winchester,*

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Winchester, over Worthy Cow Down, through Whitchurch, and other places, to Newtown River; and also the road from Worthy Cow Down aforesaid, through Wherwell, to the present turnpike Andover, in the county of Southampton.

Cap. 110. For enlarging the term and powers of two acts, made in the seventh year of King George the First, and the eighth year of King George the Second, for repairing the road from Saint Giles's Pound to Kilbourne Bridge, and for paving Oxford Road; and also of an act, made in the twenty-ninth year of King George the Second, to enable the respective trustees of the turnpike roads leading to Highgate Gate House and Hampstead, and from Saint Giles's Pound to Kilbourne, to make a new road from the great northern road at Islington to the Edgeware road near Paddington; so far as the same is by the said act directed to be under the management of the trustees of the said two first-mentioned acts.

Cap. 111. For continuing the term, and altering and enlarging the powers of two acts made in the second and twenty-fifth years of the reign of his late Majesty, for repairing the highways between Sheppards Shord and Horsley Upright Gate, leading down Bagdown Hill, in the county of Wilts, and other ruinous parts of the highways thereunto adjacent.

PRIVATE ACTS.

1. **A**N act for dividing, allotting, and inclosing, the open and common fields, common meadows, common pastures, waste, and other commonable lands and grounds, in the parish of Turvey, in the county of Bedford.

2. An act for dividing and inclosing the open fields within the township of Barnard Castle, in the county of Durham.

3. An act for inclosing Dunnington Heath, within the manor of Priors Salsford, in the county of Warwick.

4. An act for dividing and inclosing several open fields, and a parcel of meadow ground, within the township of North Deighton, in the county of York.

5. An act for dividing and allotting in severalty the open and common fields and downs, common meadows, common pastures, and commonable places, within the parish of Heytesbury, in the county of Wilts.

6. An act for naturalizing John Daniel Frederick Ruete.

7. An act for naturalizing David Emanuel Fasnacht.

8. An act for naturalizing Ephraim Reinhold Seehl.

9. An act for naturalizing Stephen Gideon Renaud and John Francis Daniel Renaud.

10. An act to amend an act, passed in the twenty-second year of his present Majesty's reign, intituled, *An act for inclosing and leasing a piece of waste land, called The Marsh, within the parish and borough of Newcastle under Lyme, in the county of Stafford;*
and

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and applying the profits thereof in aid of the poor's rate parish and borough.

11. An act for naturalizing *David Piffard*.

12. An act for vesting the manor, or reputed manors otherwise *Vinters*, the mansion house, and certain hereditaments, in the county of *Kent*, being part of the estates of the right honourable *Robert lord Ongley*, of *dom of Ireland*, in trustees, to be sold; and for laying monies arising by such sale in the purchase of other lands, and hereditaments, to be settled in lieu thereof, and like uses.

13. An act to enable his Majesty to grant the inheritance of several pieces or parcels of land in or near the parish of *Petersham*, formerly part of the park there, called *Richmond Park*, or *New Park*, in the county of *Surrey*, to *Thomas Pitt* esquire, and his heirs, for a full and valuable consideration.

14. An act for enabling *William Pulteney* esquire, to grant leases of certain estates in the county of *Middlesex* and city of *London*.

15. An act for dividing, allotting, and inclosing the open fields, meadows, pastures, commons, and commonable lands, within the manor and township of *Stanford*, in the county of *Berks*.

16. An act for dividing, allotting, and inclosing the several town-fields, commons, moors, and waste grounds, and situate land, within the manors of *Henshaw* and *Melkildga*, in the parish of *Haltwhistle*, in the county of *Northumberland*.

17. An act for dividing and inclosing certain open common fields, meadows, pastures, and other commonable lands and grounds, in *Roofs* in *Holderness*, in the east riding of the county of *York*.

18. An act for dividing, allotting, and inclosing the open fields, meadows, pastures, commons, and commonable places, in the parish of *Burton Hastings*, in the county of *Warwick*.

19. An act for dividing, inclosing, and improving a certain common, or waste ground, within the parish of *Staunton upon Wyke*, in the county of *Hereford*, and for extinguishing the right of common upon certain inclosed lands within the said parish.

20. An act to dissolve the marriage of *John Williams*, of the city of *Faster*, gentleman, with *Elizabeth* his now wife, and to enable him to marry again, and for other purposes therein mentioned.

21. An act to enable *Richard Newman Harding* esquire, and his first and other sons, and the heirs male of their bodies, to take, use, and bear the surname and arms of *Newman*, pursuant to the will of *Richard Newman* esquire, deceased.

22. An act to dissolve the marriage of *John Hankey* esquire, with *Elizabeth Thomson*, his now wife, and to enable him to marry again, and for other purposes therein mentioned.

23. An act for naturalizing *John Urban Reybaz* and *Alexander Aubert*.

24. An act for naturalizing *John James Tournelsen*.

25. An

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An act for dividing and inclosing the open and common ther commonable land, within the parish of *Church* county of *Worcester*.

An act to enable *John Browne* esquire, and his issue male, to use the surname of *Selby*, pursuant to the will of *Selby* esquire deceased.

An act for naturalizing *Christian Henrich Ruther*.

An act for empowering *Nigel Bowyer Gresley* esquire, to lease part of his settled estates in *Staffordshire*, pursuant to an agreement entered into with *George Parker*, and others, iron masters; and also to grant leases of lands and mines within the same estates.

30. An act to enable *Charles* duke of *Norfolk*, and others, to grant building or repairing leases of certain tenements, houses, and grounds, in the parish of *Saint Clement Danes*, in the county of *Middlesex*, and in or near the town of *Arundel*, in the county of *Sussex*.

30. An act for carrying into execution an agreement between the dean and chapter of *Saint Paul's*, *London*, and the college of doctors of law exercent in the ecclesiastical and admiralty courts, for vesting certain tenements in the city of *London* called *Doctors Commons*, held by the said college under the said dean and chapter by leases for years in the said college in fee simple, and reserving thereout a certain yearly rent to the said dean and chapter, and their successors, for ever.

31. An act to enable sir *William Abdy* baronet, to grant leases of his estate at *Horsley Down*, in the county of *Surrey*.

32. An act for vesting such parts of the real estates of *James Templer* esquire, deceased, as lie in the counties of *Hants*, *Wilts*, and *Dorset*, in trustees, to be sold, and for laying out the money arising by such sale in the purchase of other lands, to be settled to the uses and for the purposes therein mentioned.

33. An act for vesting part of the settled estates of *John Luther* esquire, in the county of *Southampton*, in the said *John Luther* in fee simple, and for settling an estate of greater value in lieu thereof.

34. An act to vest in trustees, and their heirs certain estates of *John Hanbury Williams* esquire, situate in the county of *Monmouth*, in order to be sold, and the purchase money applied upon the trusts and for the purposes in the said act mentioned.

35. An act for dividing and inclosing the open and common fields in the manor and parish of *Kingsbourn*, in the county of *Southampton*.

36. An act for dividing and allotting the open common fields, common meadows, open common downs, waste lands, and commonable places, within the several parishes of *Odstock*, *Homington*, *West Harnham*, and *Netherhampton*, and certain open lands lying at the east end of the said parish of *Homington*, in the county of *Wilts*.

37. An act for dividing and inclosing several open common fields, common meadows, common pastures, commons and waste

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waste grounds, within the manor and parish of *Boilstone*, in the county of *Derby*.

38. An act for the better ordering and regulating the manner of feeding, using, cultivating, and enjoying several commonable and waste grounds, lying in *Charters*, in the *Ile of Ely*, in the county of *Cambridge*, and for obliging the occupiers of certain parts of the said grounds to fence the same.

39. An act to establish an agreement for extinguishing the right of common upon certain waste grounds, and for enfranchising certain customary estates, within the manor of *Johaby*, in the county of *Cumberland*.

40. An act to dissolve the marriage of *Andrew Bayntun* esquire, with lady *Maria Coventry*, his now wife; and to enable him to marry again, and for other purposes therein mentioned.

41. An act for naturalizing *Isaac Lewis Miel*.

42. An act for naturalizing *Margaretta Phillipina Wale* and *Mary Pemberton*.

43. An act for confirming, establishing, and making effectual, the inclosure of the open and common fields, commonable lands, cow pasture, heath, and waste grounds, within the manor and parish of *Hanwell*, in the county of *Oxford*.

44. An act to effectuate a partition or division of certain messuages, lands, and hereditaments, in the county of *Wilts*, heretofore the estates of *Jonathan Power* esquire, deceased.

The END of the TABLE.

T H E

Statutes at Large,

Anno vicesimo quarto GEORGE III. Regis.

Being the FOURTH Session of the

Fifteenth Parliament of GREAT BRITAIN.

V O L. XXXIV. P A R T III.

A
T A B L E
OF THE
S T A T U T E S
PUBLICK and PRIVATE,

Passed *Anno vicefimo quarto*

GEORGI II. *Regis.*

Being the Fourth Seffion of the Fifteenth Parliament of
Great Britain.

PUBLICK ACTS.

Cap. I. **F**OR continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and eighty-four.

Cap. 2. To continue, for a limited time, an act made in the last seffion of parliament, intituled, *An act for preventing certain instruments from being required from ships belonging to the United States of America; and to give to his Majesty, for a limited time, certain powers for the better carrying on trade and commerce between the subjects of his Majesty's dominions, and the inhabitants of the said United States.*

Cap. 3. To continue so much of an act made in the last seffion of parliament, as allows further time for the payment of certain sums due, and to become due to the publick, from the united company of merchants of *England* trading to the *East Indies.*

Cap. 4. For granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and eighty-four.

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Cap. 5. To enable the company of proprietors of the *Borowstownness* navigable cut or canal, more effectually to complete and maintain the same.

Cap. 6. For establishing certain regulations concerning the portage and conveyance of letters and packets by the post between *Great Britain* and *Ireland*.

Cap. 7. To explain and amend an act, made in the last session of parliament, intituled, *An act for repealing an act, made in the twenty-second year of his present Majesty, intituled, "An act for charging a stamp-duty upon inland bills of exchange, promissory notes, or other notes, payable otherwise than upon demand;" and for granting new stamp-duties on bills of exchange, promissory and other notes; and also stamp-duties on receipts; and for indemnifying all persons who have written or signed any bill of exchange, promissory or other note, or any receipt, not stamped according to law.*

Cap. 8. For the more easy and speedy recovery of small debts within the town and port of *Dover*, and the parishes of *Charlton*, *Buckland*, *River*, *Ewell*, *Lydden*, *Coldred*, *East Langdon*, *West Langdon*, *Ringwould*, *Saint Margaret's At Cliff*, *Whitfield* otherwise *Beausfield*, *Guston*, *Hougham* otherwise *Huffham*, *Caple le Fern*, and *Alkham*, and also the liberty of *Dover Castle*, in the county of *Kent*.

Cap. 9. To enlarge the powers of an act made in the thirtieth year of the reign of his late majesty King *George the Second*, intituled, *An act for draining and preserving certain marsh and fen lands, and low grounds, in the parish of Wiggerhall Saint Mary Magdalen, in the county of Norfolk.*

Cap. 10. For appointing commissioners to put in execution an act of this session of parliament, intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty-four; together with those named in two former acts for appointing commissioners of the land tax, and with those named in an act of the last session of parliament, intituled, An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty-three.*

Cap. 11. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

Cap. 12. To authorise the removal of prisoners in certain cases; and to amend the laws respecting the transportation of offenders.

Cap. 13. For defraying the charge of the militia in that part of *Great Britain* called *England* for one year, beginning the twenty-fifth day of *March*, one thousand seven hundred and eighty-four; and for lessening the number of deputy lieutenants and justices of the peace to act in the execution of the laws relating to the militia.

Cap. 14. To continue the provisions of an act of the twenty-third of his present Majesty, for granting a bounty upon the exportation

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portation of British and Irish buckrams and tillettings, British and Irish linens, British calicoes and cottons, or cotton mixed with linen, printed, painted, stained, or dyed in Great Britain, for a limited time.

Cap. 15. For further continuing, for a limited time, an act made in the last session of parliament, intituled, *An act for preventing certain instruments from being required from ships belonging to the United States of America; and to give to his Majesty, for a limited time, certain powers for the better carrying on trade and commerce between the subjects of his Majesty's dominions, and the inhabitants of the said United States.*

For allowing further time for inrollment of deeds made by Papists, and for relief of Protestant purchasers.

Cap. the regulation of his Majesty's marine forces while on.

Cap. 18. For regulating, and rendering more effectual, the execution of the statute-work within the shire of *Edinburgh*; and for authorising the trustees for putting in execution several acts for repairing the high roads in the county of *Edinburgh*, to borrow, upon the credit of the tolls arising within the district of *Lafwade*, a further sum of money, to be applied for payment of certain sums borrowed on the personal security of the said trustees; and for further repairing the roads within the said district.

Cap. 19. For settling the rates for the carriage of passengers and goods for hire to and from the *Isle of Wight*.

Cap. 20. For the appointment of an additional overseer, for the better government of the poor of the parish of *Bradford*, in the county of *Wilts*.

Cap. 21. For building a bridge over the river *Ouse*, at *Newhaven*, in the county of *Suffex*.

Cap. 22. For enlarging the term and powers of an act, passed in the fourth year of the reign of his present Majesty, for repairing and widening the road from *Shillingford*, in the county of *Oxford*, through *Wallingford* and *Pangborne*, to *Reading*, in the county of *Berks*; and for building a bridge over the river *Thames*, at or near *Shillingford Ferry*.

Cap. 23. To continue and enlarge the term and powers of an act made in the third year of the reign of his present Majesty, intituled, *An act for repairing, widening, and keeping in repair, the road from Kirkby Kendall, in the county of Westmorland, to Kirkby Ireleth, in the county of Lancaster.*

Cap. 24. For enlarging the term and powers of an act, made in the fourth year of the reign of his present Majesty, for repairing and widening the road from *Bramcote Odd House*, in the county of *Nottingham*, to *The Cross Post upon Snalley Common*, in the county of *Derby*; and from *Ilkeston* to the towns of *Heanor* and *Shipley*, in the said county of *Derby*; and from *Trowell*, in the county of *Nottingham*, to the town of *Nottingham*;

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tingham; except so far as relates to the road leading from *Nickston*, to the town of *Shipley*.

Cap. 25. For enlarging the term and powers of an act of the third year of the reign of his present Majesty, *for repairing the roads from Lemsford Mill, through Welwyn and Stevenage, and by Cory's Mill to Hitchin, and from Welwyn, through Codicot, to Hitchin, in the county of Hertford.*

Cap. 26. For enlarging the term and powers of an act, passed in the fifth year of the reign of his present Majesty, *for repairing and widening the roads from the south end of Newton Abbott to the passage way in Kingswear, opposite Clifton Dartmouth Hardness; and from the end of a lane leading out of the turnpike road between Newton Abbott and Totnes, towards Abbott's Kerwell, to Five Lanes; and from Langver's Barn to the said turnpike road between Newton Abbott and Totnes; and from Galmpton Warborough to Monk's Bridge and Brixham Quay; and from Langver's Barn to the north end of Paington Town, all in the county of Devon.*

Cap. 27. To enlarge the term and powers of an act, made in the second year of the reign of his present Majesty, *for repairing and widening the road from the Lostwithiel turnpike road, in the parish of Creed, in the county of Cornwall, through Tregony, to Ruan Lanehorne; and from Dennis Water to three hundred yards on the south side of Trethim Mill, in the parish of Saint Just, in the said county.*

Cap. 28. For enlarging the term and powers of an act, passed in the second year of the reign of his present Majesty, *for amending, widening, and keeping in repair, the road from Castle Street, at the end of the town of Hinckley, to Lutterworth Town's End; and from or near the guide post at Walcot Town's End, in the county of Leicester, to the eighty mile stone in Welford Field, in the county of Northampton.*

Cap. 29. For continuing the term and powers of two acts, made in the sixteenth and twenty-second years of the reign of his late majesty King George the Second, *for repairing the high road from Boroughbridge, in the county of York, to Catherrick, in the same county; and from thence to Piers-bridge, on the river Tees.*

Cap. 30. For enlarging the term and powers of an act, passed in the second year of his present Majesty's reign, intituled, *An act for amending and widening the road from the turnpike road at or near the town of Swindon, to the north end or side of the town of Marlborough; and from the said town of Marlborough to the village of Everley, in the county of Wilts.*

Cap. 31. For continuing the term, and altering and enlarging the powers, of an act of the third year of the reign of his present Majesty, *for repairing, widening, and keeping in repair, several roads leading from the town of Barnstaple, in the county of Devon.*

Cap. 32. To continue and enlarge the term and powers of
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an act, made in the second year of the reign of his present Majesty, intituled, *An act for repairing and widening the road from Colham, in the county of Southampton, to the city of Chichester.*

Cap. 33. For continuing the term and powers of an act, made in the third year of the reign of his present Majesty, *for repairing the road from the fourteen mile stone, in the parish of Mothvey, to Tavern Spite, in the county of Carmarthen; and for repairing, amending, and keeping in repair, several other roads within the said county.*

Cap. 34. For continuing and amending an act of the fourth yea of his present Majesty, *for repairing and widening the roads from Colding High Bridge, to the market place in Donington; and from the tenth mile stone in the parish of Gosbertown, to the eighth mile stone in the parish of Wigtoft, in the county of Lincoln.*

P R I V A T E A C T S.

1. AN act for naturalizing *John Christian Splitgerber and Sebastian Fridag.*

2. An act for naturalizing *Michael Peter Touray.*

3. An act for dividing and inclosing several commons and waste grounds, within the parish of *Morley*, in the county of *Derby.*

4. An act to enable the honourable *Richard Lumley*, and his heirs male, to take and use the surname and arms of *Savile*, pursuant to the will of sir *George Savile* baronet, deceased.

5. An act to dissolve the marriage of *Walter Nyset* esquire, with *Anne Blomberg*, his now wife, and to enable him to marry again, and for other purposes therein mentioned.

6. An act for naturalizing *Augustus Everard Brande.*

7. An act for naturalizing *Detlev Bonaventura Eicke* and *John Henry Hecker.*

8. An act to enable his Majesty to grant the inheritance of a certain piece or parcel of land, in or near the parish of *Petersham*, formerly part of the park there called *Richmond Park*, or *New Park*, in the county of *Surrey*, to *Caroline* baroness of *Greenwich*, and her heirs, for a full and valuable consideration.

9. An act for vesting part of the estates of *Charles* late duke of *Bolton*, deceased, devised and settled by his will, in trustees, discharged of the uses and limitations limited, created, and expressed in the said will, for the purpose of more effectually carrying into execution a decree and certain orders of the high court of chancery for sale of the same estate, and for other purposes therein mentioned.

10. An act for establishing and confirming an agreement made between the lord bishop of *Norwich* and *Jacob Preston* esquire, for the exchange of certain estates in the county of *Norfolk.*

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11. An act to enable *William Hunt Grubbe* esquire, and *Walter Hunt Grubbe* gentleman, and, after their several deaths, the guardians of their respective issue, to make leases of their settled estates in the county of *Wilts*, and in the city of *Bristol*.

12. An act for dividing and inclosing a certain moor, or common, within the manor of *Leyburn*, and parish of *Wensley*, in the north riding of the county of *York*.

13. An act for dividing and inclosing the common fields, common downs, common woods, waste lands, and other commonable places in the parish of *Andover*, in the county of *Southampton*.

14. An act to enable *David Edward Lewis* esquire, to use, and bear, the surname and arms of *Lloyd*, in pursuance of the will of *Richard Lloyd*, late of *Werne Newith*, in the county of *Cardigan*, esquire, deceased.

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PUBLICK and PRIVATE,

Passed Anno vicefimo quarto

GEORGII III. REGIS.

Being the First Session of the Sixteenth Parliament of
Great Britain.

PUBLICK ACTS.

Cap. 1. **F**OR further continuing, for a limited time, an act made in the twenty-third year of the reign of his present Majesty, intituled, *An act for preventing certain instruments from being required from ships belonging to the United States of America; and to give to his Majesty, for a limited time, certain powers for the better carrying on trade and commerce between the subjects of his Majesty's dominions, and the inhabitants of the said United States*.

Cap. 2. To impower the *East-India* company to make a dividend to the proprietors of *East-India* stock, at *Midsummer*, one thousand seven hundred and eighty-four.

Cap. 3. For more effectually preventing frauds and abuses committed by persons employed in the manufactures of combing wool, worsted yarn, and goods made from worsted, in the county of *Suffolk*.

Cap. 4. For incorporating the company of proprietors of a canal navigation authorised by an act, passed in the eighth year of

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f the reign of his present majesty King *George the Third*, to be made from *Birmingham* to *Bilstone* and *Autberley*, with the company of proprietors of a canal navigation authorised by an act passed in the twenty-third year of the reign of his present majesty, to be made from *Birmingham* to *Fazeley*; and for continuing their shares; and amending the said last-mention-

For enlarging the market place, and regulating the same within the town of *Sheffield*, in the west riding of the county of *York*; and for widening and rendering more safe and commodious several streets adjoining or leading into the said town; and for taking down the present slaughter houses within the said town, and erecting others in a more proper situation.

Cap. 6. To enable such officers, mariners, and soldiers, as have been in the land or sea service, or in the marines, or in the militia, or any corps of fencible men, since the second year of his present Majesty's reign, to exercise trades.

Cap. 7. For explaining certain acts of the parliament of *Scotland* concerning manufactories; and for extinguishing the claims made by the proprietors of the two manufactories, called *The rope and soap manufactories of Glasgow*, to certain exemptions from customs and duties, and for making compensation in lieu thereof.

Cap. 8. For establishing certain regulations concerning the portage and conveyance of letters and packets by the post between *Great Britain* and *Ireland*.

Cap. 9. To authorise the commissioners of the customs in *England* and *Scotland* to cancel bonds, given for the high duties on certain parcels of corn imported into *Great Britain*, on certain conditions therein mentioned.

Cap. 10. For raising a certain sum of money by way of annuities, and for establishing a lottery.

Cap. 11. For laying additional duties upon all candles, (except wax and spermaceti candles), and for more effectually securing the duties upon candles.

Cap. 12. To enable the governor and company of the bank of *Scotland* further to encrease the capital stock of the said company.

Cap. 13. For appointing and enabling commissioners further to examine, take, and state the publick accounts of the kingdom.

Cap. 14. To enable the commissioners of his Majesty's treasury to compound a debt due to the crown from *Francis Dixon* Esquire deceased, and his sureties; and for vesting his estates in trustees; and for other purposes therein mentioned.

Cap. 15. For the better relief and employment of the poor belonging to several parishes within the town of *Shrewsbury* and the liberties thereof, in the county of *Salop*.

Cap. 16. To discontinue the petty custom on aliens goods imported into *Great Britain*, and the duty of one per centum on goods

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goods exported to or imported from the *Mediterranean Seas* in unqualified ships; and for repealing so much of an act passed in the fourth year of the reign of his present Majesty as enacts, that no part of the old subsidy shall be drawn back upon goods exported to the *British* colonies or plantations in *America*.

Cap. 17. For amending and rendering more effectual an act of the twenty-eighth year of the reign of his late Majesty, intituled, *An act for the better relief and employment of the poor of the borough of Dunheved otherwise Launceston, and parish of Mary Magdalen, in the county of Cornwall, and for the aftermowth of certain common lands within the same*, and for trustees, for the purposes therein mentioned.

Cap. 18. For laying additional duties upon *boards, millboards, and scaleboards*; and for settling certain doubts respecting the duties imposed upon *boards, millboards, and scaleboards* in the twenty-first year of his present Majesty, intituled, *An act for repealing the present duties upon boards, millboards, and scaleboards, made in Great Britain, and for granting other duties in lieu thereof*.

Cap. 19. To revive and continue an act made in the twelfth year of the reign of his present Majesty, for encouraging the manufacture of leather, by lowering the duty payable upon the importation of oak bark, when the price of such bark shall exceed a certain rate, for a limited time; and for extending several acts of parliament relative to the manufacture of leather, to that part of Great Britain called Scotland.

Cap. 20. For altering and amending an act of the thirteenth year of the reign of his present Majesty, intituled, *An act for appointing wardens and assay masters, for assaying wrought plate in the towns of Sheffield and Birmingham, so far as relates to the said town of Sheffield*.

Cap. 21. For the preservation and encouragement of the hat manufactory within this realm, by preventing the exportation of *British* hare skins, *British* hare wool, and *British* coney wool, and all undressed or untawed *British* coney skins, and for preventing any of the said skins from being stained or dyed; and for the importation of goats hair into this kingdom duty-free.

Cap. 22. For enabling sir Ashton Lever to dispose of his museum, as now exhibited at Leicester House, by will or licence.

Cap. 23. For further continuing, for a limited time, an act made in the twenty-third year of the reign of his present Majesty, intituled, *An act for preventing certain ships belonging to the United States, from trading to and to give to his Majesty, for a limited time, certain duties on the better carrying on trade and commerce between the subjects of his Majesty's dominions, and the inhabitants of the said United States*.

Cap. 24. For granting to his Majesty certain rates and duties upon bricks and tiles made in Great Britain; and for laying additional duties on bricks and tiles imported into the same.

Cap. 25. For the better regulation and management of the affairs of the East India company, and of the *British* possessions in

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lia; and for establishing a court of judicature for the more y and effectual trial of persons accused of offences committed in the *East Indies*.

Cap. 26. To repeal so much of two acts, made in the tenth and fifteenth years of the reign of his present Majesty, as authorise the speaker of the house of commons to issue his warrant to the clerk of the crown for making out writs for the election of members to serve in parliament, in the manner therein mentioned; and for substituting other provisions for the like uses.

Cap. 27. For laying an additional duty on hackney coaches; and for explaining and amending several acts of parliament relating to hackney coaches.

Cap. 28. For authorising the treasurer of the navy to pay to the officers and men belonging to his Majesty's ship *Santa Margaretta*, the like bounty for taking the *French* frigate called *L'Amazone*, as is allowed to the officers and men on board any of his Majesty's ships of war, taking or destroying ships of war belonging to the enemy.

Cap. 29. For vesting certain lands, tenements, and hereditaments, in trustees, for better securing his Majesty's docks, ships, and stores, at *Portsmouth* and *Plsmouth*; and also for re-vesting certain messuages, lands, tenements, and hereditaments, in the counties of *Southampton*, *Cornwall*, and *Devon*, in the former proprietors thereof; and for other purposes therein mentioned.

Cap. 30. For granting to his Majesty an additional duty upon licences for retailing beer, ale, and other exciseable liquors.

Cap. 31. For granting to his Majesty certain duties on horses kept for the purpose of riding, and on horses used in drawing certain carriages, in respect whereof any duty of excise is made payable.

Cap. 32. To postpone the payment of the sum of two millions, advanced by the governor and company of the bank of *England*, towards the supply for the service of the year one thousand seven hundred and eighty-one.

Cap. 33. For raising a certain sum of money by loans or exchequer bills, for the service of the year one thousand seven hundred and eighty-four.

Cap. 34. For the relief of the *East India* company with respect to the payment of certain sums due to the publick, and to the acceptance of certain bills drawn upon the said company, and for regulating the dividends to be made by the said company.

Cap. 35. To empower the bishop of *London* for the time being, or any other bishop to be by him appointed, to admit to the order of deacon or priest, persons being subjects or citizens of countries out of his Majesty's dominions, without requiring them to take the oath of allegiance as appointed by law.

Cap. 36. For repealing the present duties upon wax candles made in *Great Britain*; and for granting in lieu thereof other duties

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duties upon wax candles made in *Great Britain*, and upon wax imported, and upon licences to make or sell wax candles in *Great Britain*.

Cap. 37. For granting to his Majesty certain additional rates of postage for conveyance of letters and packets, by the post, within the kingdom of *Great Britain*; for preventing fraud in the revenue, carried on by the conveyance of certain letters and packets; and for further preventing frauds and abuses in relation to the sending and receiving of letters and packets free from postage.

Cap. 38. For repealing the several duties on goods, and granting to his Majesty other duties in lieu thereof, on several duties on inhabited houses; and upon the importation of cocoa nuts and coffee; and for repealing the duties of excise thereon.

Cap. 39. For granting annuities to satisfy certain army, victualling, and transport bills, and ordnance debentures.

Cap. 40. For granting to his Majesty additional duties on linens printed, painted, stained, or dyed in *Great Britain*; and for granting certain duties on cotton stuffs bleached or dyed in *Great Britain*; and on licences for bleaching or dyeing the same; and upon the importation of stuffs made of, or mixed with cotton, not painted, printed, stained, or dyed in foreign parts.

Cap. 41. For laying certain duties upon licences to be taken out by the makers of, and dealers in, exciseable commodities therein mentioned.

Cap. 42. To explain, amend, and render more effectual, an act made in the thirtieth year of the reign of his late majesty King George the Second, intituled, *An act for the more effectual punishment of persons who shall attain, or attempt to attain, possession of goods or money, by false or untrue pretences; for preventing the unlawful pawning of goods; for the easy redemption of goods pawned; and for preventing gaming in publick houses, by journeymen, labourers, servants, and apprentices*, so far as the same relates to the preventing the unlawful pawning of goods, and for the easy redemption of goods pawned.

Cap. 43. For granting to his Majesty certain duties on certificates issued with respect to the killing of deer.

Cap. 44. For granting to his Majesty certain duties on money out of the sinking fund; and for applying the same to the service mentioned for the service of the year one thousand seven hundred and eighty-four; for appropriating the same to the duties on malt, mum, cyder, and perry, and for a new tax, granted to his Majesty by two acts made in the last session of parliament; and for further appropriating the supplies granted in this session of parliament.

Cap. 45. To extend the powers of an act made in the twenty-third year of his present Majesty, for giving his Majesty certain powers for the better carrying on trade and commerce between the subjects of his Majesty's dominions and the inhabitants of the

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the United States of *America*, to the trade and commerce of this kingdom, with *British* colonies and plantations in *America*, with respect to certain articles therein mentioned.

Cap. 46. To discontinue, for a limited time, the payment of the duties upon low wines and spirits for home consumption, and for granting and securing the due payment of other duties in lieu thereof; and for the better regulation of the making and vending *British* spirits, as well for home consumption as for exportation; and for destroying all home made and foreign spirits after the condemnation thereof; and for vesting in his Majesty the duties of excise within the lands of *Ferentosh*, in the county of *Vernefs*; and for discontinuing, for a limited time, certain imposts and duties upon rum and spirits imported from the *West Indies*.

Cap. 47. For the more effectual prevention of smuggling in this kingdom.

Cap. 48. For better securing the duties on starch and soap.

Cap. 49. For granting additional duties upon raw and thrown silk imported into *Great Britain*, and upon lead exported from *Great Britain* into parts beyond the seas; and for allowing a drawback upon the exportation of silks, and stuffs mixed with silk.

Cap. 50. To revive and continue several laws, relating to the allowing the exportation of certain quantities of wheat, and other articles, to his Majesty's sugar colonies in *America*; and to the allowing a drawback of the duties on rum shipped as stores, to be consumed on board merchant ships on their voyages; and to extend the provisions of an act of the twenty-third year of his present Majesty, relative to the removal of wine in casks, to wine removed in bottles and other packages.

Cap. 51. For granting to his Majesty certain duties on licences, to be taken out by persons vending hats by retail; and also certain duties on hats sold under such licences; and for laying additional duties on all hats and caps imported into this kingdom.

Cap. 52. For raising a further sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and seventy-four.

Cap. 53. For granting to his Majesty certain duties on all plate imported, and also certain duties on all wrought plate made in *Great Britain*.

Cap. 54. To explain and amend an act, made in the eleventh and twelfth years of the reign of King *William the Third*, intitled, *An act to enable justices of peace to build and repair gaols, in their respective counties*; and for other purposes therein mentioned.

Cap. 55. To explain and amend an act, made in the twenty-second year of the reign of his present Majesty, intitled, *An act for the amending and rendering more effectual the laws in being relative to houses of correction*.

Cap. 56. For the effectual transportation of felons and other offenders;

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offenders; and to authorize the removal of prisoners in cases; and for other purposes therein mentioned.

Cap. 57. To enable his Majesty to grant to the he former proprietors, upon certain terms and conditions feited estates in *Scotland*, which were put under the ment of a board of trustees by an act passed in the year of the reign of his late majesty King *George* th and to repeal the said act.

Cap. 58. To indemnify such persons as have qualify themselves for offices and employments, and nify justices of the peace, or others, who have om gister or deliver in their qualifications within the by law, and for giving further time for those purt indemnify members and officers in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or having been stamped, have been lost or mislaid; and for allowing them time to provide admissions duly stamped; and to give further time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors, or to pay the duties on the indentures and contracts of clerks, apprentices, or servants.

Cap. 59. For extending, amending, and altering the powers of an act made in the eighth year of the reign of his present Majesty, intituled, *An act for making and maintaining a navigable cut or canal from the firth or river of Forth, at or near the mouth of the river of Carron, in the county of Stirling, to the firth or river of Clyde, at or near a place called Dalnair Burnfoot, in the county of Dumbarton; and also a collateral cut from the same to the city of Glasgow; and for making a navigable cut or canal of communication from the port and harbour of Borrowstounness, to join the said canal at or near the place where it will fall into the firth of Forth.*

Cap. 60. For raising money to discharge debts contracted on account of the poor within the parish of *Christ Church*, in the county of *Middlesex*; for repairing and en'oring the present workhouse of the said parish; and for f' regulating the manner of rating to the poor, appointing and preserving all accounts relating to the office of garden and overseer of the poor, and treasurer, of

Cap. 61. For amending several roads leading through *Kiddington* and *Enstone*, to *Rollright* *Enslow Bridge* to *Kiddington* aforesaid, in the county

Cap. 62. For enlarging the term and powers of an in the fifth year of the reign of his present Majesty, *An act for repairing and widening the road from Alford to B and from thence to Cowbridge, in the county of Lincoln.*

Cap. 63. To amend and render more effectual so much of two acts, made in the second and twelfth years of the reign of his present Majesty, for repairing, widening, and altering several roads leading from *Tavistock* to *Plymouth*, and other places in the county

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and for repairing and widening the road from the Tavistock aforesaid, through Mathew-street, and Monk street, to Cherrybrook, and to Dunna Bridge from the Callington turnpike road to Morwelham and so, in the said county, as relates to the roads leading to Lower market house, in Tavistock aforesaid, to Old Town Plymouth aforesaid, and from Manadon Gate, to the Old ar Plymouth Dock.

4. To enlarge the term and powers of an act passed in the year of his present majesty King George the Third, for *and widening several roads leading from or near the north town and borough of Totnes in the county of Devon.*

Cap. 65. For completing, widening, and keeping in repair, the road from *Rowd Ford*, through the *Devizes* market place, to *Steppard's Shord*, and from the east end of *Devizes* to the top of *Red Hone*, in the county of *Wilt*, and for changing and altering part of the said road.

Cap. 66. For amending, widening, and keeping in repair, the roads leading from the meeting house in the parish of *Llanegwad*, to the lime kilns in the parish of *Llanddareg*, and from *Dan yr Allt* in the said parish of *Llanegwad*, to *Pont-y-Berem* in the parish of *Llangendenn*, in the county of *Carmarthen*.

Cap. 67. For repairing and widening the road from the shambles in the borough of *Plymouth*, in the county of *Devon*, through *Frankfort Gate*, to *Stonehouse Bridge*, and from the west end of the said bridge to the inner barrier gate next the play-house, in the parish of *Stoke Damarel*, in the said county, for lighting, watching, and watering the said road, and for regulating the stands and fares of carriages using the same

Cap. 68. For repealing an act, made in the twenty-sixth year of the reign of King George the Second, for repairing and widening certain roads leading to and from the towns of *Walsid*, *Warrington*, *Bolton*, and *Wigan*, and to certain places called *The Broad Oak*, in *Worsley*, and *Duxbury Stocks*, in the county palatine of *Lancaster*, for making more effectual provision for repairing and widening the said roads, and also for mending, altering, and widening the road from a place called *South Sea*, in *Pendlebury*, to *Agecroft Bridge*, and from thence through *Filt Lane*, to *Darby Lane End*, and also from *Agecroft Bridge*, over *Rossl Moor*, to *Singleton Brook*, in the said county

Cap. 69. To continue the term, and alter and enlarge the powers of an act, made in the seventh year of the reign of his present Majesty, for *amending, repairing, and widening several roads in the counties of Radnor and Hereford*, and for repairing and widening several other roads in the said counties.

Cap. 70. For reviving, continuing, and enlarging the term and powers of an act, passed in the second year of the reign of his present Majesty, intitled, *An act for repairing and widening the roads from Kukby Steven High Lane Head, in the county of Westmorland, through Sedbergh, to Greeta Bridge, in the county palatine of Lancaster, and from Bracken Bar Gate, near Askrigg,*

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in the county of York, through Sedbergh, to Kirkstall, also the road from the Four Lane Ends in Malton, to the turnpike road on Grayrigg House, leading from Appleby to Kirkby Kendal, in the said county of Westmorland.

PRIVATE ACTS.

1. AN act for vesting part of the estates late of the right honourable Edward earl of Derby, deceased, in the counties of Warwick, Chester, and Cambridge, in the right honourable Edward the present earl of Derby, in full satisfaction for settling an estate of the said present earl in the county of Lancaster, of greater value, in lieu thereof, and in exchange for the same.
2. An act for establishing and confirming a certain exchange, agreed upon between the lord bishop of Saint David's, rector of the parish and parish church of Battersford, in the county of Gloucester, and Thomas Edwards Freeman esquire, of certain grounds and other hereditaments within the said parish.
3. An act for empowering the trustees of the will of John Okill, deceased, to sell certain leasehold estates in Liverpool, in the county of Lancaster, in preference to his estates of inheritance, for payment of his debts and legacies, and for other purposes therein mentioned.
4. An act for vesting certain parts of the settled estates late of sir Robert Sutton knight, deceased, situate in the county of Lincoln, in sir Richard Sutton baronet, his heirs and assigns; and for vesting certain lands and hereditaments, the estate of the said sir Richard Sutton, situate in Bleasby and Southwell, in the county of Nottingham, in lieu thereof, to the same uses.
5. An act for dividing, allotting, and inclosing the open fields, undivided inclosures, commons, and waste grounds, within the manor and lordship of Lengwor, in the parish of Alstonfield, in the county of Stafford.
6. An act for dividing and inclosing the commons and waste lands within the parish of Blagdon, in the county of Somerset.
7. An act for dividing and inclosing the open fields, meadows, commons, and waste grounds, within the manor and lordships of Hextrope with Balby, and the hamlet of Hextrope, in the county of Doncaster, in the west riding of the county of Yorkshire.
8. An act for naturalizing John Joseph Mary.
9. An act for dividing and inclosing certain open fields, meadows, and commons, or waste lands, within the parish of Lower Brailles, in the county of Warwick.
10. An act for confirming and establishing an exchange agreed upon between the reverend James Dalton, rector of the parish of Stanmore, in the county of Middlesex, and George Drummond esquire, of certain lands within the said parish.

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11. An act to explain and amend a power vested in *John Dutton* esquire, to grant leases, so far as it concerns certain lands and hereditaments within the town or precincts of *Launcester*, called *The Fryerage*, and for the other purposes therein mentioned.

12. An act for vesting the estate of *Dalziel*, lying in the county of *Lanark*, in *James Hamilton* esquire, and others, in fee tail, under the conditions and limitations within mentioned; and for vesting in the said *James Hamilton*, his heirs and assigns, in fee simple, the estate of *Roseball*, lying in the same county, in fee simple.

13. An act for vesting part of the estate of *John Talbot* esquire, in the county of *Wilts*; intailed by his will, in trustees, and for applying the monies arising by such sale in discharging the incumbrances affecting the same.

14. An act for replacing the sum of five thousand five hundred pounds, raised by sale of six thousand two hundred and six pounds, four shillings, three *per centum* consolidated annuities, part of seventeen thousand pounds, like annuities, mentioned in the marriage settlement of *John Dalrymple* esquire, and *Eleanor* his wife, and applied in the purchase of certain freehold, leasehold, and copyhold estates, in the county of *Southampton*; and for vesting such estates in *Edward Morant* esquire.

15. An act to enable the trustees named in the will of *Samuel Egerton* esquire, deceased, to make leases of certain parts of the estate thereby devised; and for vesting part of the timber on certain other parts of the devised estates in trustees to be sold, for the purposes therein mentioned.

16. An act for dividing and allotting part of the town fields, and the whole of the town green, of *Elrington*, in the parish of *Warden*, in the county of *Northumberland*.

17. An act for dividing and inclosing certain commons, waste lands, and commonable places, within the manor and parish of *Dudley*, in the county of *Worcester*.

18. An act for dividing and inclosing the commons, waste lands, commonable woods, and commonable places, within the manor of *Kingswinford*, in the county of *Stafford*.

19. An act for dividing and inclosing a large tract of common land, called *Loxley Chase*, lying part within the manor and part within the manor of *Wadbury*, and also certain commons or waste grounds, and certain common meane inclosures within the said manor of *Wadbury*, in the parish of *Ecclesfield*, in the west riding of the county of *York*.

20. An act for dividing and inclosing the commons and waste grounds within the manor and township of *Ecclesfield*, and the several soaks or districts of *Southby* and *Grennoscroft*, within the parish of *Ecclesfield*, in the west riding of the county of *York*.

21. An act for naturalizing *Emanuel Goodhart*.

22. An act to enable the trustees of the estates devised by the will of the late sir *William Rowley* to apply part of the trust monies

A TABLE of the STATU

nies in rebuilding the mansion house called :
offices, in the county of *Suffolk*.

23. An act for investing the estates late of *Thomas Barlow* esquire, deceased, in the county of *Lancaster*, in trustees to be sold, to raise money to be applied, under the direction of the court of chancery, in payment of the debts, annuities, incumbrances, and legacies charged upon and affecting the same estates, and for other purposes therein mentioned.

24. An act for dividing, allotting, and inclosing the open fields, meadows, pastures, commons, and common in *Tugby*, in the county of *Leicester*.

25. An act for dividing, inclosing, and improving mon arable fields, common pastures, and common grounds, within the township of *Lockton*, in the parish of *Edilton*, in the north riding of the county of *York*.

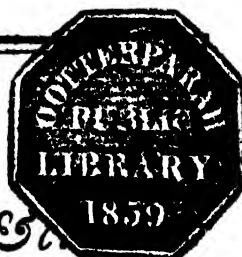
26. An act for dividing and inclosing the several open fields, parcels of common fen, and other commonable lands and waste grounds, within the parish of *Frampton*, in the parts of *Holland*, in the county of *Lincoln*, and also certain plots of land called *The Reaches, Marsh, and Holmes*, in and near to the said parish of *Frampton*.

27. An act for vesting part of the settled estates of the reverend *John Dewes* clerk, in the counties of *Hants, Surrey, and Devon*, in trustees, to be sold, and for laying out the money arising by such sale in the purchase of other lands and hereditaments, to be settled, in lieu thereof, to the same uses.

28. An act to empower *Margaret Bowes* spinster, lieutenant colonel *Thomas Thoroton*, and *Anne* his wife, and the reverend *Robert Croft*, and *Elizabeth* his wife, to grant leases of their settled estates in the county of *Northumberland*, and county palatine of *Durham*; and for vesting certain parts of the same estates in trustees, to be sold, and for laying out the purchase money in other estates, to be settled to the same uses.

29. An act for vesting part of the several estates of *Richard Whitworth* esquire, in the county of *Stafford*, in trustees, to be exchanged for part of his unsettled estates in the same county, of greater value.

The END of the TABLES.



THE
STATUTES at Large, &c.

GEORGI II. Regis, Magnae Britanniae, Franciae, & Hiberniae, vicesimo secundo.

AT the parliament begun and holden at Westminster, the thirty-first day of October, Anno Domini 1780, in the twenty-first year of the reign of our sovereign lord GEORGE the Third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued, by several prorogations, to the twenty-seventh day of November, 1781; being the second session of the fifteenth parliament of Great Britain.

C A P. I.

An act for further continuing an act, made in the seventeenth year of the reign of his present Majesty, intituled, An act to empower his Majesty's courts of law to seize and detain persons charged with, or suspected of, the crime of high treason, committed in any of his Majesty's colonies or plantations in America, or on the high seas, in the crime of piracy.

AS an act was made in the seventeenth year of the reign of his present Majesty, (intituled, An act to empower his Majesty's courts of law to seize and detain persons charged with, or suspected of, the crime of high treason, committed in any of his Majesty's colonies or plantations in America, or on the high seas, in the crime of piracy;) which was to continue and be in force until the first day of January, one thousand seven hundred and eighty-eight, and no longer: and whereas the said act was, by four subsequent acts, made in the eighteenth, nineteenth, twentieth, and twenty-first years of his present Majesty's reign, further continued until the first day of January, one thousand seven hundred and eighty-two.

Preamble.
Act of 17
Geo. 3. c. 9.
reited;

VOL. XXXIV. B two.

two, and no longer : and whereas it is expedient that the said first-mentioned act should be continued for a further term; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said first-mentioned act, and all and every the clauses, provisoes, powers, and qualifications therein contained, shall be, and the same are hereby further continued until the first day of *January*, one thousand seven hundred and eighty-three, and no longer.

and further continued till Jan. 1, 1783.

C A P. II.

An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty-two, at 4s. in the pound.

Persons having in their custody such books, &c.

XVI. AND be it further enacted by the authority aforesaid, That all and every the person and persons aforesaid; now or at any time hereafter having in his or their custody, keeping, or possession, any such books or papers aforesaid relating to the land tax, shall, within the space of one calendar month next after notice in writing, signed by three or more of the said commissioners respectively, or a true copy thereof, given to, or left at the usual place of abode of, such person or persons, deliver and give up all such books and papers unto such person and persons as the said commissioners, by such notice, shall order and appoint; whose receipt for the same shall be a good and sufficient discharge to such person or persons so delivering such books and papers: and if any such person or persons now, or at any time hereafter, having in his or their custody, keeping, or possession, any such books or papers, shall refuse or neglect so to deliver the same within the time limited by such notice and demand made, he or they shall, for such offence, forfeit and pay the sum of fifty pounds of lawful money of *Great Britain*; one moiety whereof shall be paid to the receiver-general of the land tax of the county wherein such offence shall happen to be committed, and shall by him be applied in aid of the land tax of such county, and accounted for by him accordingly; and the other moiety thereof to the person or persons who shall sue for the same; and shall be recovered, together with full costs of suit, by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, in which no essoin, protection, wager of law, or more than one imparlance, shall be allowed:

to deliver up the same on one month's notice,

on penalty of 50*l*.

Application of the penalty.

Her majesty the queen not chargeable;

XCVIII. Provided always, and it is hereby further enacted by the authority aforesaid, That this act, or any thing herein contained, shall not charge, or be construed to charge, her majesty the Queen with the abovementioned duty or payment of four shillings out of every twenty shillings by the year, for or in respect of any sums of money or annuities given or granted

by,

by his Majesty to her said Majesty; but that such sums of money and annuities, and her Majesty, and her treasurers or receivers-general for the time being, in respect of the same, shall be free and clear of all taxes, impositions, and other publick charges whatsoever; any thing in this act to the contrary notwithstanding.

CXXVII. Provided always, and be it further enacted by the authority aforesaid, That so much and such parts of this act as relate to the payment of the monies arising by the taxes and assessments herein before mentioned, by the respective collectors appointed by virtue of this act, to the receivers-general of the several and respective counties and places aforesaid; and also to the times and manner of paying the same into the receipt of his Majesty's exchequer, by the said respective receivers-general as aforesaid; and also to the allowances to be made to the said respective receivers-general and collectors, may be repealed, altered, abridged, or varied, by any act or acts to be passed in this present session of parliament.

Certain parts of this act liable to be repealed, &c. during the present session.

Clause of loan at 4l. 10s. per cent. Bills to bear interest at 4l. 10s. per cent. per ann.

C A P. III.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and eighty-two.

XXII. *AND* whereas by an act, made in the sixth year of his Majesty's reign, (intituled, An act for repealing the duties granted upon cyder and perry by an act made in the third year of his present Majesty's reign; and for granting other duties on cyder and perry in lieu thereof; and for more effectually securing the duties on cyder and perry imposed by several former acts); a duty after the rate of sixteen shillings and eight-pence per hoghead was, from and after the fifth day of July, one thousand seven hundred and sixty-six, laid upon all cyder and perry which should be made in Great Britain, and sent or consigned to any factor or agent who should receive the same to sell or dispose of, to be paid by such factor or agent: and whereas by the said act it was provided, That if any factor or agent should, during the continuance of an act in the said sixth year of his Majesty's reign, for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and sixty six, be charged with and pay the duty of four shillings per hoghead upon any quantity of cyder or perry thereby granted, and chargeable upon him or her as receiver thereof, such factor or agent should, for every hoghead of such cyder or perry so charged, stand discharged of four shillings, part of the said sixteen shillings and eight-pence, and it was thereby declared, That cyder or perry made in Great Britain in no case whatsoever should be chargeable with more than sixteen shillings and eight-pence per hoghead: therefore, to prevent any doubts or difficulties with respect to the charging or payment of the duties hereby

Cluses in an act 6 Geo. 3. c. 24. intitled.

Where the duty granted by this act on cyder or perry, in custody of a faétor, shall be certified to have been charged, the faétor shall be discharged thereof.

continued or granted, and to fecure the cyder and perry, in the poffeffion of fuch faétors and agents, from being liable to a greater duty than cyder or perry which fhall be received or difpofed of by other perfons will be fubjeét to; be it enacted and declared by the authority aforefaid, That in cafe any cyder or perry fhall be received into the cuftody or poffeffion of any faétor or agent, for which it fhall appear, by a certificate, under the hand of the proper officer of excife, that the duty continued or granted by this act fhall have been charged for fuch cyder or perry, fuch faétor or agent fhall, for every hogfhead of fuch cyder or perry fo charged, ftand difcharged of four fhillings, part of the faid duty of fixteen fhillings and eight-pence; and that cyder and perry fhall not, in any cafe or cafes whatfoever, be charged or chargeable with any higher or larger duty or duties in the whole (including the duty continued or granted by this act) than after the rate of fixteen fhillings and eight-pence per hogfhead, for or on account of the fame being in the cuftody or poffeffion of all or any of the perfons liable to pay any duty or duties in refpect thereof.

Clause of loan at 4 l. 10 s. per cent.

C A P. IV.

An act for punifhing mutiny and defection; and for the better payment of the army and their quarters.

Preamble.

Number of
forces 49,455,
including
4,175 invalids.

Every officer,
or private
man, during
the continu-
ance of this
act,
who fhall mu-
tiny or defect,
&c.

WHEREAS the raifing or keeping a ftanding army within this kingdom in time of peace, unlefs it be with the confent of parliament, is againft law: and whereas it is judged neceffary by his Majefty, and this prefent parliament, that a body of forces fhould be continued for the fafety of this kingdom, the defence of the poffeffions of the crown of Great Britain, and the prefervation of the balance of power in Europe; and that the whole number of fuch forces fhould confift of forty-nine thoufand four hundred and fifty five effeétive men, including four thoufand one hundred and feventy-five invalids: and whereas no man can be forejudged of life or limb, or fubjeéted in time of peace to any kind of punifhment within this realm, by martial law, or in any other manner than by the judgement of his peers, and according to the known and eftablifhed laws of this realm; yet nevertheless, it being requifite, for the retaining all the before-mentioned forces in their duty, that an exaét difcipline be obferved, and that foldiers who fhall mutiny, or ftir up fedition, or fhall defect his Majefty's fervice, be brought to a more exemplary and fpeedy punifhment than the ufual forms of the law will allow; be it therefore enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That if any perfon, being muftered or in pay as an officer, or who is or fhall be lifted or in pay as a foldier, fhall, at any time during the continuance of this act, begin, excite, caufe, or join in, any mutiny or fedition in the regiment, troop, or

or company, to which he doth belong, or in any other regiment, troop, or company, either of his Maſteſty's land or marine forces, in his Maſteſty's ſervice, or ſhall not uſe his utmoſt endeavours to ſuppreſs the ſame, or coming to the knowledge of any mutiny, or intended mutiny, ſhall not without delay give information thereof to his commanding officer; or ſhall miſbehave himſelf before the enemy; or ſhall ſhamefully abandon or deliver up any gariſon, fortrels, poſt, or guard, committed to his charge, or which he ſhall be commanded to defend; or ſhall compel the governor or commanding officer of any gariſon, fortrels, or poſt, to deliver up to the enemy, or to abandon the ſame; or ſhall ſpeak words, or uſe any other means to induce ſuch governor or commanding officer, or others, to miſbehave before the enemy, or ſhamefully to abandon or deliver up any gariſon, fortrels, poſt, or guard, committed to their reſpective charge, or which he or they ſhall be commanded to defend; or ſhall leave his poſt before relieved; or ſhall be found ſleeping on his poſt; or ſhall hold correſpondence with, or give advice or intelligence to, any rebel or enemy of his Maſteſty, either by letters, meſſages, ſigns, or tokens, in any manner or way whatſoever; or ſhall treat, or enter into any terms with ſuch rebel or enemy, without his Maſteſty's licence, or licence of the general, or chief commander; or ſhall ſtrike or uſe any violence againſt his ſuperior officer, being in the execution of his office; or ſhall diſobey any lawful command of his ſuperior officer; or ſhall deſert his Maſteſty's ſervice; all and every perſon and perſons ſo offending in any of the matters before-mentioned, whether ſuch offence ſhall be committed within this realm, or in any other of his Maſteſty's dominions, or in foreign parts, upon land, or upon the ſea, ſhall ſuffer death, or ſuch other puniſhment as by a court-martial ſhall be awarded.

or abandon
any fortrels,
&c.

or ſhall induce
others to do
the like;

or ſhall be
found ſleeping
upon, or ſhall
deſert his poſt,
or hold cor-
reſpondence
with the ene-
mies of his
Maſteſty;

or ſhall ſtrike
or diſobey his
ſuperior offi-
cer;

ſhall ſuffer
death, or ſuch
puniſhment as
a court-mar-
tial ſhall in-
fiſt.

II. Provided, and it is hereby declared and enacted, That any non-commiſſioned officer or ſoldier inliſted or in pay in any regiment, troop, or company, who ſhall, without having firſt obtained a regular diſcharge therefrom, inliſt himſelf in any other regiment, troop, or company, ſhall be deemed to have deſerted his Maſteſty's ſervice, and ſhall in like manner ſuffer death, or ſuch other puniſhment as by a court-martial ſhall be awarded.

Non commis-
ſioned officers
and ſoldiers
inliſting in any
other regi-
ment, &c. to
be deemed
deſerters.

General court-martial not to conſiſt of leſs than 13, (except within the gariſon of Goree, &c.) and the preſident to be a field officer, or officer next in ſeniority, not under the degree of a captain, (except in the gariſon of Goree, where they are to conſiſt of five at leaſt). In ſentences of death, nine officers ſhall concur, except in the gariſon of Goree.

VII. And be it further enacted and declared, That in the caſe of any ſoldier tried and convicted of deſertion, whenſoever the court-martial, which ſhall paſs ſentence upon ſuch trial, ſhall not think the offence deſerving of capital puniſhment, ſuch court-martial may, inſtead of awarding a corporal puniſhment, Deſerter may be adjudged to ſerve in any corps abroad for life, or for a term of years;

but returning without leave before expiration of ſuch term, he ſhall ſuffer death.

Proceedings of courts, or entries, or copies thereof, not liable to ſtamp-duties.

Soldiers, while confined for debt, not to receive pay.

Where any corps beyond ſeas ſhall be relieved in order to return home, ſuch of the men as ſhall chuſe may be inliſted, and incorporated with thoſe appointed to remain; the occaſion of quitting ſuch former corps to be recited in the inliſting certificate.

In what caſes this act ſhall extend to Jerſey, Guernſey, &c.

adjudge the offender, if they ſhall think fit, to ſerve as a ſoldier in any of the corps ſtationed in any of his Maſteſty's dominions beyond the ſeas, or in foreign parts, for life, or for a certain term of years, according to the degree of the offence: and if ſuch ſoldier ſhall afterwards (without leave from his Maſteſty, or from the commanding officer of the corps in which he ſhall be appointed to ſerve) return into this realm, or the kingdom of *Ireland*, before the expiration of the term limited by ſuch ſentence, and ſhall be convicted thereof by a court-martial, he ſhall ſuffer death.

X. Provided alſo, and be it further enacted and declared, That none of the proceedings of any general or regimental court-martial, nor any entry, or copy thereof, ſhall be charged or chargeable with any ſtamp-duty whatſoever; any thing contained in any former act or acts to the contrary notwithstanding.

No waggon, &c. to carry above 30 hundred weight. No volunteer liable to proceſs, unleſs for ſome criminal matter, or unleſs for a real debt of the value of 20 l.

LXVII. And be it enacted by the authority aforeſaid, That, from the paſſing of this act, no ſoldier, being arreſted or confined for debt, in any priſon, gaol, or other place, ſhall be entitled to any part of his pay from the day of ſuch arreſt or confinement, until the day of his return to the regiment, troop, or company, to which he ſhall belong.

LXXVIII. And be it further enacted, That when, and as often as any regiment or company ſhall be relieved at any ſtation or place beyond the ſeas, in order to their return to *Great Britain* or *Ireland*, it ſhall and may be lawful for any officer or officers thereunto authorized by the commander in chief, at ſuch ſtation or place reſpectively, to inliſt as many of the ſoldiers belonging to ſuch regiment or company, returning to *Great Britain* or *Ireland*, as ſhall be willing, and who ſhall appear to be fit for ſervice, and to incorporate them in any regiment or company which ſhall be appointed to remain; and every ſoldier ſo inliſted ſhall be, and is hereby deemed to be, diſcharged from the regiment or company in which he before ſerved; and the occaſion of his quitting ſuch former corps ſhall be recited in the inliſting certificate; a duplicate, or an attested copy whereof, ſhall be delivered to ſuch ſoldier, to protect him from being any-ways moleſted upon ſuſpicion of his having deſerted.

LXXIX. And be it further enacted by the authority aforeſaid, That this act ſhall be conſtrued to extend to the iſlands of *Jerſey*, *Guernſey*, *Alderney*, *Sark*, and *Man*, and the iſlands thereto belonging, as to the clauſes therein for muſtering and paying, and to the provisions for the trial and puniſhment of officers and ſoldiers who ſhall be charged with mutiny or deſertion, or any other of the offences which are by this act declared to be puniſhable by the ſentence of a general court-martial; and

and alſo to the clauſes which relate to the puniſhment of perſons who ſhall conceal deſerters, or ſhall knowingly buy, exchange, or otherwiſe receive any arms, clothes, caps, or other furniture, belonging to the King, from any ſoldier or deſerter, or who ſhall cauſe the colour of ſuch clothes to be changed.

LXXXI. *And whereas it may be expedient in certain caſes, and particularly in ſuch matters wherein any of his Majeſty's marine forces may be intereſted, that officers of the marines ſhall be associated with officers of the land forces for the purpoſe of holding courts-martial; be it enacted and declared, That when and as often as it may be neceſſary, it ſhall and may be lawful for officers of the land and marine forces to ſit in conjunction upon courts-martial, and to proceed in the trial of any officer or ſoldier of the land forces, in like manner, to all intents and purpoſes, as if ſuch courts-martial were compoſed of officers of the land forces only; and the officers of the land and marine forces are, in ſuch caſes, to take rank according to the ſeniority of their commiſſions in either ſervice.*

As often as it ſhall be neceſſary, officers of the land and marine forces may ſit in conjunction upon courts-martial;

taking rank according to the ſeniority of their commiſſions.

LXXXII. *And, for the better aſcertaining the number of effective men of the regiments of militia, when embodied and in actual ſervice, be it enacted by the authority aforeſaid, That, from and after the paſſing of this act, every regiment or corps of militia and fencible men, when embodied and in actual ſervice, ſhall be regularly muſtered by commiſſaries appointed for that purpoſe, in the ſame manner, and as often as the army is uſually muſtered; and the magiſtrates ſhall have the ſame powers and authorities, and both officers and men ſhall be ſubject to the ſame regulations, reſtrictions, and penalties, as are impoſed on the officers and ſoldiers of the army by virtue of this act.*

Militia and fencible men, when in actual ſervice, to be regularly muſtered, &c.

LXXXIII. *And whereas the time of ſervice in the militia is limited to three years, be it enacted by the authority aforeſaid, That the officer commanding each regiment or corps of militia, or fencible men, ſhall certify, on the back of the muſter-roll, the names of thoſe men who are within ſix months of the time of the expiration of their ſervice, and alſo the number of men which have been inrolled ſince the laſt muſter, diſtinguiſhing the ballotted men from the ſubſtitutes; and every man ſo inrolled ſhall be intitled to receive his pay from the time of his inrollment.*

Names of militia men, &c. who are within ſix months of the expiration of their ſervice, to be certified on the back of the muſter-roll.

LXXXIV. *And be it further enacted by the authority aforeſaid, That this act ſhall be and continue in force, within the realm of Great Britain, from the twenty-fourth day of March, in the year of our Lord one thouſand ſeven hundred and eighty-two, until the twenty-fifth day of March, in the year of our Lord one thouſand ſeven hundred and eighty-three; and ſhall be and continue in force in Jerſey, Guernſey, Alderney, Sark, and Man, and the iſlands thereto belonging, as to ſuch parts thereof as relate to thoſe places reſpectively, from the thirtieth day of April, in the year of our Lord one thouſand ſeven hundred and eighty-two, until the firſt day of May, in the year of*

Continuance of this act.

our Lord one thousand seven hundred and eighty-three; and, shall be and continue in force, within the island of *Minorca*, and garrison of *Gibraltar*, and in his Majesty's other dominions beyond the seas, as to such parts thereof as relate to those places respectively, from the twenty-fourth day of *March*, in the year of our Lord one thousand seven hundred and eighty-three, until the twenty-fourth day of *March*, in the year of our Lord one thousand seven hundred and eighty-four.

His Majesty may grant his warrant to the governors of *Minorca* and *Gibraltar*, &c. for holding courts-martial, immediately after the passing of this act.

LXXXV. Provided nevertheless, and be it further enacted, That the powers by this act given to his Majesty of granting his warrant to the governors of *Minorca* and *Gibraltar*, and of his Majesty's dominions beyond the seas respectively, or to the person or persons there commanding in chief his Majesty's forces for the time being, for convening, or authorizing any officer, not under the degree of a field officer, to convene general courts-martial for the trial of offences committed by any of the forces under their respective command, shall commence immediately from and after the passing of this act; and that it shall be lawful for such governor or person commanding in chief, and any officer by them respectively authorised, to proceed and act by virtue of such warrant from and after the day on which such governor or person commanding in chief shall receive the same.

C A P. V.

An act for the regulation of his Majesty's marine forces while on shore.

Offences against former acts may be enquired of and punished as under this act.

XXXVII. **A**ND, in order to prevent all doubts which may arise in relation to punishing offences committed against former acts of parliament, made for the regulation of the marine forces while on shore, be it enacted by the authority aforesaid, That all crimes and offences which have been committed against any of the former acts in that behalf, shall and may, during the continuance of this present act, be enquired of, heard, tried, determined, adjudged, and punished, before and by the like courts, persons, powers, authorities, ways, means, and methods, as the like crimes and offences committed against this present act may be enquired of, heard, tried, determined, adjudged, and punished.

Provided no person be liable to be tried for offences committed three years before issuing the warrant for trial; except in cases of desertion only.

XXXVIII. Provided always, That no person shall be liable to be tried or punished for any offence committed against any of the said former acts, which shall appear to have been committed more than three years before the issuing of the commission or warrant for such trial; except only for the offence of desertion.

No volunteer liable to process, unless for some criminal matter, or unless for a real debt of the value of 20l.

Marines, while confined for debt, not to receive pay.

XLI. And be it further enacted, That, from the passing of this act, no marine, being arrested or confined for debt, in any prison, gaol, or other place, shall be intitled to any part of his pay

pay from the day of such arrest or confinement, until the day of his return to the regiment or company to which he shall belong.

XLV. *And whereas it may be expedient in certain cases, particularly where a sufficient number of marine officers cannot be conveniently assembled, or in matters wherein any of his Majesty's land forces may be interested, that officers of the land forces should be associated with the marine officers for the purpose of holding courts-martial; be it enacted and declared, That when and as often as it shall be necessary, it shall and may be lawful for officers of the marine and land forces to sit in conjunction upon courts-martial, and to proceed in the trial of any marine officer or private man, in like manner, to all intents and purposes, as if such courts-martial were composed of marine officers only; and the officers of the marine and land forces are, in such cases, to take rank according to the seniority of their commissions in either service.*

As often as it shall be necessary, officers of the marine and land forces may sit in conjunction upon courts-martial;

taking rank according to the seniority of their commissions.

C A P. VI.

An act for keeping the militia forces of this kingdom complete, during the time therein mentioned.

WHEREAS it is highly expedient for the publick service, that the several regiments and corps of militia should be made and kept as complete as possible during the course of the ensuing campaign:

and whereas the time of balloting for many regiments and corps, or parts of regiments and corps, will happen between the months of March and December next ensuing, whereby such regiments and corps will, during that period, be very much weakened and rendered unfit for service: and whereas the provisions in two acts of parliament, one made in the eighteenth year of his present Majesty, (intituled,

18 Geo. 3. c. 59.

An act to amend and render more effectual the laws relating to the raising and training the militia within that part of Great Britain called England; and to establish certain regulations with respect to officers serving in the corps of fencible men directed to be raised in that part of Great Britain called Scotland, and certain other corps therein mentioned;) and the other made in the nineteenth year of his present Majesty, (intituled, An act to explain, amend, and render more effectual, the several laws now in being relative to the militia forces of this kingdom; and for making certain provisions relative to the fencible men in that part of Great Britain called Scotland;) which were intended to prevent in some degree this inconvenience, have been found insufficient: for remedy thereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and immediately after the passing of this act, the colonels and commanders of the several regiments and corps of militia, in which regiments or corps the time of service of any private militia men will expire between the first day of April and the first day of De-

19 Geo. 3. c. 72.

Colonels, &c. of militia, in whose regiments the time of service of any private men

cember

will expire between April 1, and Dec. 1, are to enquire of every such man if he is willing to continue his service for a further term of three years.

Colonels, &c. to return lists of such men who are willing to continue, &c. to the clerks of the general meetings, which clerks, deputy lieut. &c. are forthwith to proceed to ballot for proper men to serve instead of those whose times will expire as aforesaid.

Clerks of subdivision meetings to send lists of the names, &c. of militia men sworn in to the commandant of the corps to which they belong, &c.

tamber next ensuing, shall, and they are hereby respectively required forthwith to apply, in the manner directed by the said act of the eighteenth year of his present Majesty, to every such private man, and to enquire if he is willing to continue his service for a further term of three years, and for what sum or price he shall be so willing to continue it, if required.

II. And be it further enacted by the authority aforesaid, That every such colonel and commandant of every such regiment and corps of militia, shall, and he is hereby required forthwith to return a list as well of such private militia men as are willing to continue so to serve, as of all others whose times of service will expire between the first day of *April*, and the first day of *December*, next ensuing, to the clerk of the general meeting of the county or riding to which such regiment or corps shall respectively belong, in like manner as is directed by the said recited acts, or either of them; and all clerks of general meetings, clerks of subdivision meetings, deputy lieutenants, justices of the peace, and all other persons concerned, are hereby respectively authorised and required, upon the receipt of such lists, forthwith to proceed to ballot for proper men to serve in the militia, in the place of those whose times will expire as aforesaid, and for that purpose to execute all the powers and directions given by the said recited acts, or any other act or acts of parliament respecting the militia forces of this kingdom, as if all the clauses, provisions, powers, matters, and things, contained in any of the said acts relating to the premises, were repeated and re-enacted in the body of this present act.

III. And be it further enacted by the authority aforesaid, That when and as often as any militia men shall be ballotted for and sworn in, in the manner herein-before directed, the clerks of the subdivision meetings respectively shall forthwith give notice thereof, and transmit a list of the names and places of abode of such militia men to the colonel or commandant of the regiment or corps of militia to which they shall belong; and every colonel or commandant of such regiment or corps of militia is and are hereby authorised from time to time to discharge of those men whose times will soonest expire, a number equal to those who are ballotted for and sworn in, and in readiness to join his regiment or corps, so as to keep his regiment or corps as complete as may be during the period before mentioned.

C A P. VII.

An act for further continuing an act, made in the nineteenth year of the reign of his present Majesty, for allowing the importation of fine organized Italian thrown silk in any ships or vessels, for a limited time.

Act 19 Geo. 3. c. 9. recited; and further continued until March 25, 1783.

C A P. VIII.

An act for raiſing a certain ſum of money by way of annuities, and for eſtabliſhing a lottery.

Preamble. 13,500,000l. to be raiſed by annuities, and 405,000l. by a lottery. Contributors to the ſum of 13,500,000l. to be intitled for each 100l. to an annuity of 100l. at 3l. per cent. per ann. and to a further annuity of 50l. at 4l. per cent. per ann. the firſt to commence on the 5th of Jan. 1782, and the other on the 5th of April, 1782, and alſo to be intitled to a further annuity of 17s. 6d. per ann. for 78 years from the 5th of Jan. 1782, and then to ceaſe; which ſhall be charged upon a fund to be eſtabliſhed this ſeſſion, and collaterally on the ſinking fund. To be paid each half yearly. Every contributor of 1,000l. ſhall, upon payment of 30l. more, be intitled to three lottery tickets. Preamble; reciting that books have been opened at the bank, and the whole 13,500,000l. for annuities ſubſcribed, and the whole 405,000l. for the lottery, and 15l. per cent. depoſited on each. All perſons who have made depoſits, purſuant to the aforeſaid reſolution, are required to pay the remainder of their ſubſcriptions, viz. for the annuities 10l. per cent. on the 12th of April, 1782. 10l. per cent. on the 7th of May, 10l. per cent. on the 13th of June, 10l. per cent. on the 19th of July, 15l. per cent. on the 22d of Auguſt, 10l. per cent. on the 20th of Sept. 10l. per cent. on the 24th of October, and the remaining 10l. per cent. on the 26th of November; and for the lottery 20l. per cent. on the 28th of May, 1782, 25l. per cent. on the 9th of July, 20l. per cent. on the 10th of Sept. and the remaining 10l. per cent. on the 15th of October. Subſcribers to the annuities and lottery to be allowed intereſt for all monies paid in advance, at the rate of 3l. per cent. per ann. Subſcribers to the lottery, on paying in the whole of their ſubſcriptions, ſhall receive tickets to the amount thereof at the rate of 10l. for each ticket. Subſcribers to the 13,500,000l. intitled to annuities of 3l. per cent. and 4l. per cent. as aforeſaid, till redemption by parliament, and to the annuities of 17s. 6d. per ann. for 78 years from the 5th of July, 1782, and then to ceaſe. To be paid half yearly, the 3l. per cent. on the 5th of July and the fifth of January, and the 4l. per cent. on the 10th of October and the 5th of April, and the annuities of 17s. 6d. on the 5th of July and the 5th of January yearly; but not payable till the whole ſums ſubſcribed are paid. Annuities to be payable and transferable at the bank of England, &c. Caſhier of the bank to give receipts to contributors for money received; which ſhall be assignable. Caſhier to give ſecurity to the good liking of the commiſſioners of the treaſury; and to pay all monies received into the exchequer. Commiſſioners of the treaſury impowered to apply the money paid the caſhier. A book to be provided in the accountant-general's office, in which contributors names ſhall be entered, &c. After contributors ſhall have paid their ſubſcriptions, they will be intitled to receive the annuities granted by this act; which ſhall be tax-free. Subſcriptions paid in part, and not completed, the ſums paid ſhall be forfeited to the publick, and all right to their reſpective annuities extinguished. As ſoon as contributors have completed their payments, the ſums ſubſcribed ſhall, in the books of the bank, be placed to their credit; and ſhall be assignable. Annuities charged on the fund to be eſtabliſhed for payment thereof. Governor, &c. of the bank, to appoint a chief caſhier and accountant-general. From time to time monies to be iſſued at the exchequer to the chief caſhier, for payment of annuities created by this act. Accountant-general to examine receipts and payments. Annuities to be deemed perſonal eſtate. Books to be kept by the accountant-general, wherein ſhall be entered all transfers of ſums advanced on this act; which entry ſhall be ſigned by the party making ſuch transfer, or his or their attorney authorized by writing under hand and ſeal; and the party to whom ſuch transfer is made ſhall ſign his or her acceptance, and no other method good in law. Perſons poſſeſſed of ſtock may deviſe the ſame by will, &c. Commiſſioners of the treaſury impowered

ered to defray the incidental expences attending the execution of this act. The $\frac{3}{4}$ per cent. annuities granted by this act, shall be added to the $\frac{3}{4}$ per cent. consols. transferrable at the bank. The $\frac{4}{5}$ per cent. annuities granted by this act, shall be added to the same fund as the $\frac{4}{5}$ per cents. granted by the lottery acts of 20 and 21 Geo. 3. The annuities of 17 s. 6 d. per annum for 78 years, to be added to the consolidated long annuities of 1, 2, 4, and 20 Geo. 3. but to be paid out of the fund to be established this session. The bank to continue a company till redemption of the annuities. 405,000 l. to be raised by a lottery; the prizes whereof to be paid out of any supplies granted this session. Guardians having the disposal of infants money, may contribute to the loan, &c. Managers and directors of the lottery to be appointed by the treasury. Every leaf of the lottery books to be divided into three columns, in each to have a ticket printed in the following form, to the number of 40,500 in each. The ticket.

LOTTERY anno 1782.

THE bearer of this ticket will, in pursuance of an act passed in the twenty-second year of his Majesty's reign, be intitled to such beneficial chance as shall belong thereto, in the lottery to be drawn in pursuance of the said act.

Managers to examine the books with the tickets, and deliver them to the cashiers of the bank, taking a receipt for the same. Cashiers to return the books, with the undisposed tickets, with an account of the monies paid in. Undisposed tickets to be delivered into the exchequer. Tickets of the middle columns to be rolled up, and fastened with thread or silk; and cut off indentwise into a box marked with the letter (A). Box to be locked up, and sealed. Other books to be prepared with two columns, on each of which 40,500 tickets are to be printed. 14,338 to be fortunate tickets. 2 of 20,000 l. each, 2 of 10,000 l. each, 2 of 5000 l. each, 4 of 2000 l. each, 8 of 1000 l. each, 20 of 500 l. each, 50 of 100 l. each, 250 of 50 l. each, 1,400 of 20 l. each; 500 l. to each first drawn ticket of the first five days; 1000 l. to ditto the 10th and 15th days; 2000 l. to ditto the 18th day; 3000 l. to ditto the 21st day; and 2000 l. to the last drawn. Tickets of the last mentioned books to be rolled up and tied, and put into a box marked with the letter (B). Publick notice to be given of putting the tickets into the boxes. Lottery to begin drawing on Nov. 18, 1782, in the usual method, and to continue from day to day (except Sundays, Christmas-day, Thanksgiving and Fast-days) until all the said fortunate tickets are drawn. Number of the fortunate tickets and sums to be printed. Disputes to be adjusted by the managers. Forging or counterfeiting, or causing or procuring, or willingly acting or assisting in forging or counterfeiting any ticket, certificate, or order made by this or any former lottery act, or altering any number, figure, or word therein, or uttering, vending, bartering, or disposing of any such false, altered, forged or counterfeited ticket, certificate, or order, or bringing any such ticket, certificate, or order, the number whereof, or any figure or word therein shall have been altered, (knowing the same to be such) to the said managers, or any of them, or to the cashier or cashiers, or accountant-general of the bank of England, for the time being, or any other person or persons whatsoever, with a fraudulent intention; or shall willingly aid, abet, assist, hire or command any person or persons to commit any such offence, felony without benefit of clergy: and the said managers and directors, or any two or more of them may cause any person bringing or uttering such forged or counterfeited ticket or certificate, or aiding, abetting, &c. therein, to be apprehended and committed to gaol to be proceeded against according to law. Offenders (not in prison) discovering persons guilty, to receive a pardon, and 50 l. reward. Proviso: attainer not to work or make corruption of blood, loss of dower or disinheritance of heirs. Managers to be sworn by two or more other managers. The oath.

I A. B. as a manager and director of the lottery to be drawn in pursuance of an act of parliament, made in the twenty-second year of his Majesty's

Majesty's reign, do swear, that I will faithfully execute the trust reposed in me; and that I will not use any indirect art or means, or permit or direct any person to use any indirect art or means, to obtain a prize or fortunate, lot therein, for myself or any other person whatsoever; and that I will do the utmost of my endeavour to prevent any undue or sinister practice to be done by any person whatsoever; and that I will, to the best of my judgement, declare to whom any prize, lot, or ticket, of right does belong, according to the true intent and meaning of the said act.

Cashier may receive the sums subscribed before receiving the lottery book, giving a note for the same; which shall intitle the bearer to a ticket for every 10l. so paid. Contributors not making good their payments within the times limited, forfeit the sums paid with respect to the lottery; and the tickets for such sums to be delivered into the exchequer. Commissioners of the treasury may reward the managers, &c. as they shall think fit. The 405,000 l. for the payment of the fortunate tickets, to be charged on any supplies granted this session; and shall be paid to the proprietors, without any deduction, on March 1, 1783, &c. Managers to give notice of the times for exchanging tickets for certificates. Certificates to be numbered, &c. and signed, &c. No fee to be taken for receiving or paying contribution monies, or for any receipts, &c. on penalty of 20l. Persons sued in execution of this act, may plead the general issue, and give the special matter in evidence, and recover treble costs.

C A P. IX.

An act for rectifying mistakes in the names of several of the commissioners appointed, by an act made in the last session of parliament, to put in execution an act made in the same session, intituled, An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty-one; and for appointing other commissioners, together with those named in the first-mentioned act, to put in execution an act of this session of parliament, for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty two.

C A P. X.

An act for the better detaining, and more easy exchange of American prisoners brought into Great Britain.

WHEREAS, since the commencement of the present war, exchanges of prisoners taken in America, or conveyed to America, have been there regularly made, with advantage to his Majesty's service: and whereas it may be likewise convenient for the said service, that American prisoners brought into Great Britain should be detained, and exchanged, in the same manner; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, it may and shall be lawful for his Majesty, during the continuance of the present hostilities, to hold and detain in such prisons or places within Great Britain, as to his wisdom shall seem fit, as prisoners of war, all natives or other inhabitants of the thirteen revolted colonies not at his Majesty's peace, who have been, or shall be, taken by sea or land, and brought into Great Britain: and it shall

Preamble.

His Majesty authorized to detain, as prisoners of war, all inhabitants of the revolted colonies taken, and brought into Great Britain;

Anno vicefimo fecundo GEORGE III. C. 11, 12. [1782.]

shall be lawful for his Majesty to discharge any person or persons so taken and detained as prisoner or prisoners of war, either absolutely, or upon such conditions, and with such limitations, or for such a time, as his Majesty shall deem proper; as also to authorise any commissioner or commissioners to discharge or exchange all and every person and persons as aforesaid, according to the custom and usage of war, and the law of nations; regard being had in the said exchanges relative to officers in his Majesty's service, whether the said officers have been made prisoners in *America* or elsewhere, to the rank of the said prisoners, and the length of time since they have been taken: and the detention, enlargement, or exchange aforesaid, shall be good and valid, any warrant of commitment, or cause therein expressed, or any law, custom, or usage, to the contrary notwithstanding.

C A P. XI.

An act for allowing further time to negotiate, by indorsement, the bonds issued in pursuance of an act, made in the fourteenth year of the reign of his present Majesty, intituled, An act for more effectually carrying into execution certain proposals made by the most noble Henry duke of Buccleugh, the most noble Charles duke of Queensberry and Dover, and others, for redeeming the annuities granted by the company of the bank of Ayr, in that part of Great Britain called Scotland, known under the firm of Douglas, Heron, and Company.

Act 14 Geo. 3. c. 21. recited. Bonds issued by the duke of Buccleugh, &c. for 500,000*l.* only 213,300*l.* part thereof paid; and by the great fall in the price of lands, &c. the remainder cannot be paid off within the time limited by the said former act, therefore enacted, that the outstanding bonds to be negotiable until June 24, 1786, and no longer. This declared a publick act.

C A P. XII.

An act for making compensation to the proprietors of certain messuages, lands, tenements, and hereditaments, in the counties of Cornwall and Devon, purchased in pursuance of two acts of parliament, one made in the twentieth year of the reign of his present Majesty, for better securing his Majesty's docks, ships, and stores, at Plymouth and Sheerness; and for better defending the passage of the river Thames at Gravesend and Tilbury Fort; and the other in the twenty-first year of his present Majesty's reign, for explaining and amending so much of the said act as relates to the security of his Majesty's docks, ships, and stores, at Plymouth; and to certain proprietors and occupiers of land at or near Plymouth, who have sustained any loss or damage in consequence of the said acts.

Recital of 20 Geo. 3. c. 38. His Majesty's letters patent, dated Aug. 26, 1780; and act 21 Geo. 3. c. 61. Private act 10 Geo. 3. No. 48. to enable George lord Edgumbe to grant building leases of lands, &c. within the manor of Stonehouse, otherwise East Stonehouse, in the county of Devon, recited. Commissioners met in the parish of Antony, on Aug. 27, 1781, in the county of Cornwall, and upon the inquest of twelve lawful men returned by the sheriff, decreed that the value of the messuages, lands, &c. in Cornwall, in the said act 21 Geo. 3. mentioned, including two small sums to be paid as a satisfaction for the damages done to a ropewalk hitherto extending on a small part of the lands, by raking the same for the use of the publick, was 5,954*l.* 18*s.* 11*d.* in which sum was included the sum of 1,428*l.* 0*s.* 9*d.* halfpenny, as the value of lands belonging to ad-
miral

miral Thomas Graves, and comprized in his marriage settlement. Another meeting, had on Sep. 3, in the town of Dock, in the county of Devon; when the commissioners on the like inquest decreed, that the value of the lands, tenements, &c. in the said county, mentioned in the said Act, including money allowed for costs, damages and expences of the owners and occupiers of lands, &c. revested, was 10,059 l. 6 s. 6 d. exclusive of lands, &c. of lord viscount Mount Edgcumbe and Villetort, in the manor of Stonehouse, and in the said sum was included 2,728 l. 2 s. 6 d. as the value of lands in the parish of Maker, belonging to the said lord Edgcumbe, &c. comprized in his marriage settlement. And as to the lands, &c. in the manor of Stonehouse, the said lord Edgcumbe had proposed to grant a lease thereof for 99 years, if three persons nominated on behalf of his Majesty should so long live, and at the yearly rent of 36 l. 7 s. 6 d. (being at the rate of 6 d. per perch) payable at Lady-day and Michaelmas clear of all taxes; which proposal was approved of by the commissioners. A lease made and executed, dated Sept. 29, 1781. 16,414 l. 5 s. 5 d. with interest, to be applied for making compensation to proprietors of lands, &c. in Devonshire and Cornwall. Surveyor-general of the ordnance to make out bills for the several sums adjudged to the proprietors of lands, &c. Debentures to be prepared by the clerk of the ordnance, and paid by the treasurer. To be paid according to the respective decrees of the commissioners. 1,428 l. 0 s. 9 d. halfpenny, the sum found to be the value of the lands of admiral Graves, to be paid to certain trustees: who are to invest the same in the purchase of a freehold estate, to be settled to the same uses, &c. as the former lands; or place it out at interest. 2,728 l. 2 s. 6 d. the sum found to be the value of the lands of lord Edgcumbe, in the parish of Maker, to be paid to certain trustees: who are to invest the same in the purchase of a freehold estate, to be settled to the same uses, &c. as the former lands; or to place it out at interest. Trustees answerable for their own neglects only. The 40 l. decreed to be paid to the dean and canons of the chapel of St. George in Windsor Castle, shall be paid to their appointee, as a compensation for their tithes arising from lands in the county of Devon, within the parish of Plymstock, to be laid out in the purchase of messuages, lands, tenements, tithes, and hereditaments, in fee simple, to be conveyed to the use of the said dean and canons, and their successors for ever, and instead of interest 1 l. per ann. to be deducted out of John Harris's rent for the remainder of his term of 21 years. All the sums of money to be made payable by debentures (except the three sums beforementioned) shall be paid to the deputy remembrancer of the exchequer; who shall sign a certificate to the barons of the exchequer on the receipt of each sum respectively. Such sums of money to be paid by the deputy remembrancer into the bank. Barons of the exchequer impowered to make orders for payment of money to persons intitled to receive the same, &c. The vicar of Anthony, rector of Stoke Damerell, and vicar of Maker, to have the yearly income of the money allotted to them. Taking the said valued lands for the use of his Majesty, exempt from taxes, shall not affect other lands in the same parish with regard to taxes, but the same shall remain subject to taxes as before. 195 l. with interest, shall be paid to the deputy remembrancer for a parcel of an undivided eighth part of land and a boathouse in the possession of Warwick Calmady. Barons of the exchequer to enquire who is intitled to the said land and boathouse; and to order 60 l. to be paid to the owner of the boathouse. Directions for the barons of the exchequer relative to the disposal of 135 l. for the aforementioned lands in the parish of Plymstock, to be paid to the person appearing intitled thereto in fee simple; but if only for some limited estate or interest, then to be settled accordingly: and if it appears that Warwick Calmady hath been in the uninterrupted possession of the said undivided eighth part of the lands in the parish of Plymstock for 20 years, and no other person shall make out any title thereto, the court may order the said 135 l. and interest to be paid to the said Warwick Calmady. Every part of the sum of 195 l. to be at the disposal of the exchequer. On the death or removal of the deputy remembrancer, mortgages, &c. to vest in his successor. If the remembrancer should execute the office in person, then

then the powers by this act vested in the deputy, shall vest in the remembrancer. In case persons capable of receiving debentures shall neglect to take the same, &c. after a month's notice in the London Gazette, to be deposited by the clerk of the ordinance with the clerk of the peace of the county where the lands, &c. lie. The lease granted by lord Edgumbe to sir Richard Sutton confirmed. Sir Richard Sutton to be indemnified with respect to rent, &c. reserved in the said lease, by the officers of the ordinance. Limitation of actions for acting under this act to be in six months, and the defendant may plead the general issue, and give the special matter in evidence, and have treble costs.

C A P. XIII.

Act act to continue several laws therein mentioned, relating to the better encouragement of the making of sail cloth in Great Britain; to the encouragement of the silk manufactures; and for taking off several duties on merchandize exported, and reducing other duties; to the free importation of cochineal and indico; to the prohibiting the importation of books reprinted abroad, and first composed, written, and printed in Great Britain; to securing the duties upon foreign made sail cloth, and charging foreign made sails with a duty; to the allowing a bounty on the exportation of British corn and grain in neutral ships; to the allowing the exportation of provisions, goods, wares, and merchandizes, to certain places in North America, which are or may be under the protection of his Majesty's arms, and from such places to Great Britain, and other parts of his Majesty's dominions; to the empowering his Majesty to prohibit the exportation, and restrain the carrying coastwise, of copper in bars, or copper in sheets; and to the allowing the exportation of certain quantities of wheat, and other articles, to his Majesty's sugar colonies in America.

33 Geo. 2. c. 17, for the encouragement of making sail cloth in Great Britain, further continued until Sept. 29, 1788, &c. So much of 8 Geo. 1. c. 15, as relates to the encouragement of silk manufactures, &c. further continued until June 24, 1788, &c. 7 Geo. 2. c. 18, for the free importation of cochineal and indico, further continued until Sept. 29, 1788, &c. So much of 12 Geo. 2. c. 36, for prohibiting the importation of books reprinted abroad, &c. as relates to prohibiting the importation of books reprinted abroad, and first written and printed in Great Britain, further continued until Sept. 29, 1788, &c. 19 Geo. 2. c. 27, for securing the duties upon foreign made sail cloth, &c. further continued until June 24, 1788, &c. 20 Geo. 3. c. 31, for allowing a bounty on the exportation of British corn in neutral ships, further continued until March 25, 1783, &c. 20 Geo. 3. c. 46, for allowing the exportation of provisions, &c. to certain places in North America, further continued until June 1, 1783. 20 Geo. 3. c. 59, empowering his Majesty to prohibit the exportation, &c. of copper in bars or sheets, further continued until May 1, 1783. So much of 16 Geo. 3. c. 37, as relates to allowing the exportation of wheat, &c. to his Majesty's sugar colonies in America, further continued until May 1, 1783.

C A P. XIV.

An act to explain, amend, and render more effectual, an act, made in the sixteenth year of the reign of his present Majesty, for making and maintaining a navigable canal from or near the town of Stourbridge, in the county of Worcester, to join the Staffordshire and Worcestershire canal at or near Stourton, in the county of Stafford; and also two collateral cuts therein mentioned.

Act 16 Geo. 3. c. 28. recited. Powers of the act have been carried into execution, and the proprietors have expended the further sums of 5000l. 3000l. and 1330l. Power to raise a further sum of 10,000l.; which sum, as well as 3000l. already raised, shall be made part of the company's capital.

capital. To enable executors, &c. to answer calls. The said 1330l. and interest to be first paid off. Penalties and forfeitures to be recovered before justices of the peace by distress of goods, and in default thereof, three months imprisonment. Persons aggrieved may appeal to the quarter sessions. To be a publick act.

C A P. XV.

An act for the relief of naval officers, seamen, marines, and soldiers, with respect to prize and bounty money not claimed in due time.

Act 16 Geo. 3. c. 5. recited. 17 Geo. 3. c. 7. 19 Geo. 3. c. 67. 20 Geo. 3. c. 23. 21 Geo. 3. c. 15. Seamen, &c. intitled to their prize or bounty money, if they claim it within four years after it shall become due to Greenwich hospital; provided they prove to the directors of the said hospital their inability to claim the same within the time limited by the recited acts: and the said directors may order the same to be refunded, if paid to the hospital. And if not, to be paid to such seamen, &c. as soon as received by their treasurer or his deputy, who is to be allowed such payment on passing his account.

C A P. XVI.

An act for the better supply of mariners and seamen to serve in his Majesty's ships of war, and on board merchant ships, and other trading ships and vessels.

From the passing of this act until March 25, 1783, merchant ships, &c. may be navigated by three fourths foreign seamen, notwithstanding the navigation act 12 Car. 2. c. 18. This act not to restrain any royal proclamation to be made pursuant to an act 13 Geo. 2. c. 3.

C A P. XVII.

An act to repair, enlarge, and rebuild, Cobham, Leatherhead, and Godalming bridges, in the county of Surrey.

Cobham bridge kept in repair at the joint expence of Tho. Page, Esq; lord of the manor of Cobham, Richard Palmer, D. D. and Tho. Hurst, Esq; lords of the manor of Walton upon Thames, by reason of the tenure of their respective estates. Leatherhead bridge at the joint expence of the parishes of Leatherhead and Fetcham, with the aid of the income of certain small parcels of land of the annual value of 18 shillings, and Godalming bridge at the expence of Jane More Molyneux, spinster, by reason of the tenure of her estate. The bridges to be deemed county bridges, and repaired as such. Allowing an appeal against the proportion of county rates. The old bridges vested in the clerk of the peace. Proprietors of Cobham bridge to pay 400l. to the county treasurer. Certain pieces of land in Leatherhead to be sold for the purposes of this act. Power to dig earth and make bricks. Expences of this act to be paid by the treasurer of the county out of money in his hands. Actions for acting under this act not till thirty days after notice, nor after three calendar months. Defendant may plead the general issue, and give the spectral matter in evidence, and have treble costs. To be a publick act.

C A P. XVIII.

An act for continuing the term and powers of an act, made in the thirty-third year of the reign of his late majesty King George the Second, intituled, An act for laying a duty of two pennies Scots, or one sixth part of a penny sterling, on every Scots pint of ale, porter, or beer, brewed for sale, or vended within the town and parish of Dalkeith.

Act 33 Geo. 2. c. 53 recited, and further continued for 21 years. This a publick act.

C A P. XIX.

An act for granting an additional bounty on ships employed in the Greenland and whale fishery, for a limited time.

Act 11 Geo. 3. c. 38. recited. An additional bounty of 20s. per ton to be paid for all British ships which shall proceed from this kingdom on the Greenland fishery, for five years, from the 25th of Dec. 1781, under the regulations in the recited act. Vessels, not provided with their full complement of men, may proceed to Lerwick in Shetland, and complete the number there; provided not more than two men are wanted for every 50 tons burthen; and upon their return from the fishery, the men taken in at Lerwick may be set on shore there. And the master or owners, on producing a proper certificate, &c. to the officer at the port of arrival; and the master or mate making oath that the men so taken on board at Lerwick, proceeded from thence on the said fishery, and continued on board during the time the ship was employed on that business, shall be intitled to the bounty granted by this act.

C A P. XX.

An act to revive and further continue an act, made in the seventh year of the reign of his present Majesty, intituled, An act to discontinue, for a limited time, the duties payable upon the importation of tallow, hogs' lard, and greafe.

Act 7 Geo. 3. c. 12. recited, revived, and further continued until March 25, 1785.

C A P. XXI.

An act to extend so much of two acts, of the twentieth and twenty-first years of his present Majesty's reign, as relate to the sale of, and ascertaining the duties upon, East India goods, to tea, and all other goods of the growth, product, or manufacture of China, or any country within the limits of the East India company's charter, which have been, or shall, during the present hostilities, be brought into this kingdom, and condemned as prize; for equalizing the duties upon, and regulating the importation of foreign snuff into this kingdom; and for preventing the importation and running of foreign spirituous liquors, tea, and other prohibited goods, into this kingdom, in vessels fitted out and armed as privateers.

Recital of 20 Geo. 3. c. 9. and 21 Geo. 3. c. 5. The recited acts, so far as they relate to goods of the growth, product, or manufacture of the East Indies, extended to tea, and all other goods of the growth, product, or manufacture of China, or other part of the East Indies, which has been, or shall be, during the present hostilities, brought into this kingdom, and condemned as prize. Recital of 12 Geo. 1. c. 26. After May 1, 1782, French snuff to pay the same duties on importation as other foreign snuff. Foreign snuff imported after May 1, 1782, to be loose in casks, chests, or cases, each containing three hundred and fifty pounds weight of net snuff at least, and not to be packed in bags, or in any other packages, in such cask, chest, or case, under the penalty of the forfeiture of all such snuff as shall be imported contrary to this act, together with all the casks, chests, cases, or other package containing the same; and such snuff may be seized by any officer of the customs, and sued for, prosecuted, and disposed of in the same manner, and the officer so seizing be intitled to, and allowed the same reward as directed by the act 14 Geo. 2. c. 41. for securing the duties upon tobacco. Privateers which shall be found at sea in any part of this kingdom at any distance from the coasts thereof, having on board foreign brandy or other spirits in any vessel less than 60 gallons, (except for the use of the seamen on board), or tea, ~~not~~ exceeding six pounds weight, or any

* See cap. 49. of this session.

any other goods whatſoever, liable to forfeiture on being imported, then not only all ſuch goods, but alſo the ſhip or veſſel on board which they ſhall be found, with all her gunn, furniture, ammunition, tackle, and apparel to be forfeited, and the ſame may be carried and delivered into the care and cuſtody of the collector and comptroller of his Maſteſty's cuſtoms, at any port in this kingdom, which ſhall be neareſt to the place where ſuch ſhip or veſſel ſhall be found, and the ſame may be ſeiſed, proſecuted, recovered and diſpoſed of, by ſuch ways and rules, and in ſuch manner and form, as ſuch veſſels and goods would be liable to by any law in force, if the ſame had been found within the limits of any port of this kingdom; and the letters of marque or general reprizal, or any other commiſſion granted for ſuch ſhip or veſſel, to be null and void.

C A P. XXII.

An act for better ſecuring the duties payable by virtue of an act of the fifth year of the reign of Queen Anne, on the importation of coals, culm, and cinders, into the port of Great Yarmouth, in the county of Norfolk.

Act 5 Annæ, c. 7. recited. After June 1. 1782, the importers of coals, culm and cinders, into the port of Great Yarmouth, ſhall, previous to the clearing of the ſhip at the cuſtomhouſe, deliver to the water bailiff a ſigned account of the names of the owners, &c. upon oath. Any freeman of the corporation importing coals, &c. ſhall deliver to the water bailiff, at his office, an account, on oath, of the quantity thereof. On default, the ſame duties ſhall be paid as for coals, &c. the property of non-freemen. If any freeman, being owner of any ſhip, &c. or the importer of coals, &c. on his own account, ſhall not within the time limited, but afterwards deliver ſuch account, on oath, as aforeſaid, or if he reſides at a diſtance, or through infirmity or otherwiſe, cannot conveniently attend, may verify the ſaid account by affidavit before a juſtice of the peace, and in either caſe the whole duties paid to be returned, provided the ſhipmaſter have given in an account on oath as before directed. Perſons ſwearing falſely to be deemed guilty of perjury. Publick act.

C A P. XXIII.

An act for allowing further time for inrolment of deeds and wills made by papiffs, and for relief of proteſtant purchaſers.

Act 3 Geo. 1. c. 18. recited. 10 Geo. 1. c. 4. 3, 6, 9, 11, 12, 16, 19, 21, 28, 31 & 33 Geo. 2. and 2, 4, 7, 12, 14, 17 & 18 Geo. 3. alſo recited. Deeds and wills of papiffs, &c. made ſince Sept. 29, 1717, to be good in law, if inrolled before Sept. 1, 1782. This act not to extend to deeds, &c. the validity whereof has been brought in queſtion before Jan. 1, 1782. Purchaſes made by proteſtants not to be avoided, on account of the title deeds not having been inrolled, &c. This act not to make good any grant of the right of preſentation to any benefice, &c. in truſt for any papiff.

C A P. XXIV.

An act for defraying the charge of the pay and cloathing of the militia in that part of Great Britain called England, for one year, beginning the twenty-fifth day of March, one thouſand ſeven hundred and eighty-two.

C A P. XXV.

An act to prohibit the ransoming of ships or vessels captured from his Majesty's subjects, and of the merchandize or goods on board such ships or vessels.

Preamble.

WHEREAS it is a common practice, when ships or vessels are captured by the King's enemies, or by other persons committing acts of hostilities, for persons to agree with the captors for ransom of the same; and for securing the stipulated ransom, not only to give hostages, but also to bind themselves, or the owners, for the payment thereof: and whereas the practice of ransoming is found, by experience, to be liable to great abuses, and there is reason to apprehend that, upon the whole, it operates more to the disadvantage than for the benefit of his Majesty's subjects: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of June, one thousand seven hundred and eighty-two, it shall not be lawful for any of his Majesty's subjects to ransom, or to enter into any contract or agreement for ransoming any ship or vessel belonging to any of his Majesty's subjects, or any merchandize or goods on board the same, which shall be captured by the subjects of any state at war with his Majesty, or by any persons committing hostilities against his Majesty's subjects.

After June 1, 1782, vessels, &c. captured by the enemy not to be ransomed.

All contracts made, and securities given, contrary to this act, to be void.

II. And be it further enacted, That all contracts and agreements which shall be entered into, and all bills, notes, and other securities, which shall be given by any person or persons for ransom of any such ship or vessel, or of any merchandize or goods on board the same, contrary to this act, shall be absolutely void in law, and of no effect whatsoever.

Penalty on persons ransoming, or contracting to ransom, any ship, &c. contrary to this act.

III. And be it further enacted by the authority aforesaid, That if any person or persons shall, after the said first day of June, one thousand seven hundred and eighty-two, ransom, or enter into any contract or agreement for ransoming, any such ship or vessel, or any merchandize or goods on board the same, every person so offending shall, for every such offence, forfeit and lose the sum of five hundred pounds; to be recovered, with full costs of suit, by any person or persons who shall sue for the same, by action of debt, in any of his Majesty's courts of record at Westminster, in which action no essoin, protection, imparlance, or wager of law, shall be allowed.

Limitation of this act.

IV. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to make void any contract or agreement which shall be entered into, or any bill, note, or other security, which shall be given, by any master of a captured ship or vessel, or by any other person or persons on board or belonging to the same, for ransom thereof,

or

or of any merchandize or goods on board such ship or vessel; or to inflict any penalty upon any master of any captured ship or vessel, or any other person or persons on board or belonging to the same, for ransoming, or entering into any contract or agreement for ransoming, such ship or vessel, or any merchandizes or goods on board the same, until after the expiration of two months from the passing of this act, for any ship or vessel sailing from any foreign *European* port; or until after the expiration of four months from the passing of this act, for any ship or vessel sailing from any foreign port out of *Europe*.

C A P. XXVI.

An act for providing quarters for certain foreign troops, lately employed in his Majesty's service in the defence of the island of Minorca, and expected to arrive soon in this kingdom, for a limited time.

WHEREAS certain foreign troops, lately employed in his Majesty's service in the defence of the island of Minorca, are expected to arrive soon in this kingdom, and it is necessary quarters should be provided for such troops during their stay in Great Britain; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said foreign troops shall and may, during their continuance here, be quartered, and be received and provided for in quarters, in the same manner, to all intents and purposes, as the *British* troops now are; and that the billeting, quartering, receiving, and providing for, such foreign troops, in the manner aforesaid, shall be deemed and taken to have been, and to be legal, valid, and effectual, to all intents and purposes whatsoever.

Certain foreign troops, lately employed in the defence of Minorca, to be quartered here as British troops.

II. Provided always, and be it further enacted by the authority aforesaid, That this act shall continue in force for six months from the time of the arrival of such troops, and thence till twenty days after the commencement of the next session of parliament, and no longer.

Continuance of this act.

C A P. XXVII.

An act for the more easy and speedy recovery of small debts within the city of Rochester, and the parishes of Strood, Prindsbury, Cobham, Shorne, Higham, Cliffe, Cooling, High Halstow, Chalk, Hoo, Burham, Wouldham, Halling, Cuxstone, Chatham, and Gillingham, and the ville of Sheerness, in the county of Kent.

Commissioners; to hear and finally determine all causes for the recovery of all debts contracted within the city of Rochester, and the several parishes and the ville beforementioned, above the sum of two shillings and under the sum of forty shillings, and are constituted a court of justice by the name and style of The Court of Requests in the city of Rochester. New commissioners to be appointed in the room of those who shall die, or be chosen one of the assistants of the city of Rochester, or shall cease to be a householder, or remove out of the parish wherein he resided at the time of

appoint-

appointment, or refuse or neglect to act as a commissioner for a year, at a vestry of the parish, for which such commissioner was appointed, to be holden in Easter week then next following; and such appointment to be in writing under the hands of the churchwardens and overseers of the poor of such parish, present at the time of such election, and certified to the commissioners at their then next court; but in default of such election or certificate, the commissioners, or any three or more may appoint another person, being an inhabitant, householder, and resident in such parish. Qualification of commissioners to be an inhabitant, householder, and resident within the said city, or in the several parishes of St. Nicholas, St. Margaret, Strood, Frindsbury, Chatham and Gillingham, and in the actual possession and enjoyment of a real estate of the clear yearly value of 30l. above reprises; or shall be possessed of a personal estate to the amount or value of 500l. and also to take the following oath.

I A. B. do swear, That I will impartially and honestly, according to the best of my judgement, hear and determine all such matters and causes as shall be brought before me, as a commissioner, by virtue of an act of parliament, made in the twenty-second year of the reign of King George the Third, for the more easy and speedy recovery of small debts, within the city of Rochester, and the parishes of Strood, Frindsbury, Cobham, Shorne, Higham, Chiffe, Cooling, High Halstow, Chalk, Hoo, Burham, Woudham, Halting, Cuxstone, Chatham and Gillingham, and the ville of Sheerness, in the county of Kent, without favour or affection to any of the parties.

So help me GOD.

To be administered by the clerk or deputy clerk to the said court, or any one of the commissioners, and a memorial thereof to be entered by the clerk in the register of the court. Persons acting not being qualified, to forfeit and pay for every offence 20l. to any person who shall sue for the same, in any court of record, and the defendant is to prove his qualification or pay the penalty, without further proof by the prosecutor than that he acted as a commissioner. Commissioners or any three or more of them to hold courts at the guildhall of Rochester on the second Friday in every month for ever, and may hear and finally determine all causes for the recovery of debts contracted within the said city, parishes and ville, as shall be under the sum of 40 s. and above the sum of 2 s. and to make such orders and decrees, and pronounce such judgements, and to award execution thereupon with costs, against the body or goods and chattels of all persons against whom they shall make such orders and decrees, as to any three or more of the commissioners shall appear just in law, equity and good conscience. Commissioners to hold special quarterly meetings at the said guildhall on the first Wednesday after Midsummer day, the first Tuesday after Michaelmas-day, the first Tuesday after Christmas-day, and the first Tuesday after Lady-day yearly, which may be adjourned to any time and place in the said city, not exceeding 14 days. Commissioners may make rules and orders for regulating their proceedings conformable to the directions of this act, but not to increase or lessen the fees. Casting vote to be given by the mayor, &c. or senior commissioner. George Gates, gentleman, the present town clerk, being an inhabitant, householder, and resident within the said city, appointed clerk of the said court; Richard Mizzen and Isaac Mizzen (being inhabitants of the said city) appointed sergeants of the said court, all during their good behaviour; and the commissioners may at their first or any subsequent court appoint a deputy clerk (being an inhabitant of the said city). Commissioners to appoint new officers on death or resignation, or removal out of the city of any of the former. Deputy clerk to be approved of by the clerk. Courts may suspend sergeants for misbehaviour. Commissioners to hear and determine upon complaints against their officers, at special meetings. List of the commissioners to be put up in the court. Clerk to enter the decrees of the court in a book. Eight commissioners to be summoned to attend upon every court day. Commissioners not summoned, may attend.

All

All the commissioners to be summoned to attend monthly meetings at which any officer is to be chosen, and at quarterly meetings, and to have six days notice. A sufficient number not attending, the court to be adjourned to the next court or meeting. Mode of proceeding for recovery of debts of more than 2 s. and under 40 s. to be by summons, to be served by the serjeant on the debtor personally, or by leaving the same at his place of abode, &c. within the limits aforesaid, seven days before the return. On proof of the service of the summons, the commissioners may make enquiry concerning the demand, and pronounce final sentence or judgement, and make such interlocutory or final orders and decrees touching the same, and the costs of suit, as shall appear to be agreeable to justice, equity, and good conscience. This act shall not extend to debts for rent upon lease or contract, where the title of any lands, tenements, or hereditaments, can or may come in question, or in or upon any other real contract, nor to any debt that shall arise upon or by reason of any cause concerning any last will or matrimonial contract, or the breach thereof, or any thing properly belonging to the ecclesiastical court; nor to any money won at or by any horse-race, cock match, wager, or any kind of gaming or play; nor to any forfeiture upon any penal statute or bye law; nor to any debt for the payment whereof there shall not have been a contract, acknowledgment, undertaking or promise, within six years before the taking out of the summons for the same, although such debt shall not amount to 40 s. On non-appearance of the defendant, the commissioners to proceed ex parte the plaintiff on proof of the service of the summons. Plaintiff not appearing, or not establishing his debt, to pay costs, to be recovered as other debts and costs, by order of the commissioners. Commissioners impowered to administer oaths to the parties and witnesses. Penalty on wilful perjury, the same as in other cases of perjury. Commissioners may award execution against body or goods: and the clerk or deputy may issue a precept by virtue whereof the serjeants may apprehend the party within the limits, and convey him to the common gaol of the said city for the reception of debtors, there to remain till the decree or order be performed; but not longer than one calendar month, nor less than seven days; and such imprisonment to be deemed a full discharge and extinguishment of the debt and costs. And the serjeants on precept issued upon the execution awarded against the goods of any such party, may levy by distress and sale of the goods of such party, within the limits of this act, such sum of money and costs as shall be ordered and decreed: and in case the party absconds, or secretes or removes his goods, or otherwise prevents or evades the service or effect of such execution, and proof thereof made by the said serjeant or other credible witness, (but not otherwise) the commissioners may at their discretion award execution against body or goods till the plaintiff is paid and satisfied. Court may order debts to be paid by instalments. On execution clerk to indorse the debt and costs: and if the defendant before actual sale of his goods, or before apprehended or his term of imprisonment not expired, pay or tender to the clerk or his deputy, the debt and costs, and one shilling more for his trouble of paying the same to the plaintiff and entering acknowledgment of satisfaction, and also two shillings for gaol fees (if in custody) the execution to be superseded, and the body and goods discharged. Commissioners may suspend or supersede proceedings, where the defendant, by sickness or poverty, may be incapable of paying the debt. Serjeant suffering an escape, &c. by neglect, to pay d. bt and costs. Gaolers to receive persons committed. Creditors to allow 3 d. a day to debtors while in prison. Penalty on not obeying a subpoena, to testify served four days before return, and oath made that he was a material witness, or refusing to give evidence, may be fined four shillings, to be recovered as other debts, but not to be committed for more than two days. Fees to be taken by the officers.

Fees to be taken by the Clerk.

For entering every cause, two pence.
For issuing every summons, four pence.

For every hearing or trial, two pence.
 For ſwearing every witneſs, plaintiff or defendant, two pence.
 For every nonſuit, and entering the ſame, ten pence.
 For every attachment for the defendant's not appearing, ten pence.
 For every execution, one ſhilling.
 For every acknowledgment of ſatisfaction, ſixpence.
 For every ſubpœna, three pence.
 For the payment of money into court, ſixpence.
 For every order, three pence.
 For entering thereof, three pence.
 For every warrant of commitment, ſixpence.
 For ſearching the books, two pence.

By the Serjeants.

For ſerving every ſummons or ſubpœna, four pence.
 For calling every witneſs before the court, one penny.
 For calling the plaintiff or defendant before the court, two pence.
 For every execution againſt body or goods, one ſhilling.
 For every commitment for inſults or miſbehaviour in the court, one ſhilling.

By the gaoler.

For every commitment, two ſhillings.

Table of fees to be hung up in the court houſe. Whole fees in any cauſe limited to 6 s. 11 d. to the clerk, and 3 s. 11 d. to the ſerjeants, though ſuch fees may amount to more by the table. Penalty on officers taking greater fees, not more than 5 l. nor leſs than 40 s. To be applied either to the relief of debtors in gaol, or to be paid to the overſeers of the poor where the perſon forfeiting ſhall reſide, to be recovered as other debts; and ſuch offence to be deemed a miſbehaviour. Deputy clerk to have half the clerk's fees, or 13 s. 4 d. for each day's attendance, and no more. No commissioner or officer to act where intereſted, or who ſhall ſell ale, &c. by retail. No attorney to be a commissioner, or intitled to any privileges in this court, or employed as an advocate. Perſons inſulting the court to be fined, not more than 20 s. to the poor of the pariſh wherein the perſon ſhall reſide who committed the offence, and in default of payment may be committed to gaol for three days, or until payment. Copy of the foregoing clauſe to be hung up in the court. No debt under 40 s. and upwards of 2 s. to be ſued for in any other court; except the ſaid court of requests, and the court of portmote after mentioned. Saving the rights of the court portmote of Rocheſter, conſtituted by charter in the fifth year of King Charles the Firſt. This court not to interrupt or hinder the tranſacting the publick buſineſs of the city in the Guildhall. Limitation of actions for acting under this act, till 21 days after notice thereof, nor after tender of amends, nor after 40 days after the cauſe of action accrues, and to be laid in the county of Kent. The defendant may plead the general iſſue, and may have treble coſts. Plaintiff not to produce evidence of the cauſe of action other than what ſhall be ſpecified in the notice. To be a publick act.

C A P. XXVIII.

An act for granting an additional duty upon tobacco and ſnuff; and for repealing certain duties payable upon the importation of brandy and arrack, and for granting other duties in lieu thereof.

Moſt gracious Sovereign,

Preamble.

WE, your Maſteſty's moſt dutiful and loyal ſubjects, the commons of Great Britain, in parliament aſſembled, towards raiſing the neceſſary ſupplies to deſray your Maſteſty's publick expences, have

have freely and voluntarily resolved to give and grant unto your Majesty the several imposts and duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be raised, levied, collected, and paid unto his Majesty, his heirs and successors, for and upon all tobacco which, from and after the first day of June, one thousand seven hundred and eighty-two, shall be imported or brought into this kingdom of Great Britain, over and above all customs, subsidies, and duties, already imposed thereon, an additional duty of four-pence for every pound weight avoirdupois, and after that rate for a greater or less quantity.

From June 2, 1782, an additional duty of 4 d. per pound on all tobacco imported;

II. *And whereas, in order to promote and encourage the manufacture of snuff in Great Britain, it is expedient that a further duty should be imposed upon foreign snuff imported, in proportion to the said additional duty by this act granted upon tobacco; be it therefore further enacted by the authority aforesaid, That there shall be also raised, collected, and paid unto his Majesty, his heirs and successors, for and upon all snuff which, from and after the said first day of June, one thousand seven hundred and eighty-two, shall be imported or brought into this kingdom of Great Britain, over and above all customs, subsidies, and duties, already imposed thereon, an additional duty of eight-pence for every pound weight avoirdupois, and after that rate for any greater or less quantity.*

and of 8 d. per pound on all snuff imported.

III. *And whereas by an act, made in the eighteenth year of the reign of King Charles the Second, intituled, An act for encouraging of coinage, a duty of twenty shillings per ton was imposed upon brandy, wines, or strong water, imported into this kingdom; and in and by the additional book of rates, referred to by an act made in the eleventh year of the reign of his late majesty King George the First, spirits called brandy are rated as follows; that is to say, brandy of France, the ton, containing two hundred and fifty-two gallons, at thirty pound.; brandy of Spain, Portugal, or Italy, the ton, containing two hundred and fifty-two gallons, at fifteen pounds; and brandy of all other countries, not otherwise rated, the ton, containing two hundred and fifty-two gallons, at twenty pounds: and whereas by an act made in the seventh year of the reign of his late majesty King George the Second, intituled, An act for ascer-*

Recital of an act 18 Car 2. and the additional book of rates, 11 Geo. 1 relative to the duty on brandy.

7 Geo. 2. c. 14.

taining the duties upon arrack, and for giving further time to clerks and apprentices to pay duties omitted to be paid for their indentures and contracts; it was, amongst other things, enacted, That the same subsidies, duties, and excise, then payable upon brandy and foreign spirits imported, and no more, should be paid for arrack, imported from any of his Majesty's colonies or territories in the East Indies, and that the same allowance should be made on the exportation thereof, as was made upon foreign brandy, or other spirits: and whereas, in order to evade payment of the duties due by law upon brandy of France, great quantities of French brandy mixed abroad

with

with brandy of other countries, have been imported into this kingdom from Dunkirk, and other ports in Flanders, under the denomination of Flemish brandy; and by reason of such mixture, and other practices, used by the traders therein to disguise the same, it is impossible for the officers of the customs to ascertain the proper duties that ought to be paid for such brandy, whereby the publick revenue is diminished, and the fair trader much injured: for remedy whereof,

From June 1, 1782, the said duties on importation of brandy and arrack, (except excise duties) to cease.

be it enacted by the authority aforesaid, That, from and after the first day of June, one thousand seven hundred and eighty-two, the said rates upon brandy shall be repealed, and the several duties payable upon the importation of brandy and arrack, as herein-before mentioned, (except the duties of excise, as herein-after is provided), and all former drawbacks on the exportation thereof, shall cease, determine, and be no longer paid.

New duties to be paid instead thereof.

IV. And be it further enacted by the authority aforesaid, That, from and after the first day of June, one thousand seven hundred and eighty-two, in lieu and in stead of the said former rates and duties repealed by this act, there shall be raised, levied, collected, and paid, for every ton of brandy, or spirits usually entered under that denomination, containing two hundred and fifty-two gallons, which shall be brought or imported into this kingdom from any place or country beyond the seas, the sum of eight pounds and eight shillings; and for every ton of arrack, containing two hundred and fifty-two gallons, which shall be brought or imported into this kingdom, the like sum of eight pounds and eight shillings; and after those rates for any greater or less quantity thereof; any thing in any former act or acts to the contrary notwithstanding.

New duties subject to an additional duty of 5l. per cent. conformable to 29 Geo. 3. c. 25.

V. And it is hereby further enacted by the authority aforesaid, That the said respective duties herein-before granted, shall be also subject and liable to an additional impost or duty of five pounds *per centum*, in the same manner, and under the same regulations, as the additional duty of five pounds *per centum* is granted to his Majesty by an act, made in the nineteenth year of his reign, intituled, *An act for granting to his Majesty additional duties upon the produce of the several duties under the management of the respective commissioners of the customs and excise in Great Britain.*

Duties to be paid upon importation, without any discount, and to be under the management of the commissioners of the customs.

VI. And it is hereby further enacted by the authority aforesaid, That the said several and respective duties herein-before granted, shall be paid down in ready money, without any discount or allowance, upon importation, and shall be raised, levied, collected, paid, and recovered, in such manner and form, and by such ways, means, and methods, and under such penalties and forfeitures, (except where any alteration is made by this act), as the former duties payable to his Majesty upon such articles respectively were raised, levied, collected, paid, and recovered, as fully and effectually, to all intents and purposes, as if the several clauses, powers, directions, penalties, and forfeitures, respectively relating thereto, were particularly repeated and

and again enacted in the body of this present act; and the same shall be under the management and direction of the respective commissioners of his Majesty's customs and their officers for the time being, and shall be paid into the hands of the receiver-general of the customs in *England*, and shall be by him paid (the necessary charges of raising, collecting, and answering the same, only excepted) into the receipt of his Majesty's exchequer, and appropriated and applied in the following manner; that is to say, two pounds twelve shillings and sixpence, part of the said duties on brandy and arrack, to the subsidy on spirits; one pound and one shilling, other part thereof, to the subsidy one thousand seven hundred and forty-seven; one pound and one shilling, to the subsidy one thousand seven hundred and fifty-nine; one pound and one shilling, to the coinage on spirits; and two pounds twelve shillings and sixpence, the remainder of the said duties on brandy and arrack, together with the whole of the several additional duties of four-pence *per* pound weight upon tobacco, and eight-pence *per* pound weight upon snuff, shall be paid in distinct and apart from all other monies which such receiver-general shall receive for the use of his Majesty, his heirs and successors, for the uses and purposes in this act mentioned; and the additional impost of five pounds *per centum*, granted by this act, shall be paid in as part of the said impost, granted by the before-mentioned act of the nineteenth year of his present Majesty's reign, under the title and description of *The impost one thousand seven hundred and seventy-nine*.

How to be applied.

VII. And be it further enacted by the authority aforesaid, That there shall be provided and kept, in the office of the auditor of the said receipt of exchequer, a book or books, in which all the monies arising from the said last mentioned duty of two pounds twelve shillings and sixpence, being part of the duties on brandy and arrack; and the said additional duties of four-pence *per* pound weight upon tobacco, and of eight-pence *per* pound weight upon snuff, hereby granted and paid into the said receipt as aforesaid, shall be entered separate and apart from all other monies paid and payable to his Majesty, his heirs and successors, upon any account whatsoever; and the said money, so paid into the said receipt of exchequer as aforesaid, shall, together with such other rates, duties, and revenues, as shall be granted by any act or acts of this session of parliament for this purpose, (and not otherwise applied), be a fund for the payment of the several annuities, and all such other charges and expences as are directed to be paid and payable pursuant to an act of this present session of parliament, intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery*.

A book to be kept in the auditor's office, in which the additional duties are to be entered.

Application thereof.

VIII. And it is hereby further enacted by the authority aforesaid, That in lieu of the former drawbacks upon the exportation of brandy and arrack, repealed by this act, where any brandy or arrack, having paid the duties herein-before granted, shall

Drawbacks to be allowed on the exportation of brandy

and arrack,
tobacco and
snuff.

Anno vicefimo fecundo GEORGE III. c. 29, 30. [1782.]

shall be again exported by way of merchandize, the merchant or merchants, so exporting the same, shall be repaid and allowed the following drawback; that is to say, for every ton of such brandy or arrack, as shall be exported to any *British* colony or plantation in *America*, the sum of seven pounds and seven shillings; and for every ton of such brandy or arrack, as shall be exported to any other place, where such brandy or arrack would have been legally intitled to any former drawback, the sum of seven pounds seventeen shillings and sixpence; and after those rates for any greater or less quantity; and upon the exportation of such tobacco and snuff from this kingdom, to any part beyond the seas, as merchandize, the exporter shall be paid and allowed a drawback of all the before-mentioned duties, paid upon the importation of such tobacco and snuff by virtue of this act; which said respective drawbacks or allowances shall be made in such manner, and under such rules, regulations, restrictions, penalties, and forfeitures in all respects, as any former drawback or allowance, payable out of the duties of customs upon the exportation of such brandy, arrack, tobacco, or snuff, was, could, or might be paid or allowed.

This act not
to alter the
duties of ex-
cise upon fo-
reign brandy,
&c.

IX. Provided always, and it is hereby further enacted and declared by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend, to repeal, or any wise alter, any duty of excise imposed by any act or acts of parliament now in force, upon foreign brandy, arrack, or strong waters, imported into this kingdom, but such duties shall continue to be paid and applied in the same manner, in all respects, as if this act had not been made.

C A P. XXIX.

An act for further continuing an act, made in the twentieth year of the reign of his present Majesty, intituled, An act for exempting the city of Winchester, the county of Southampton, the town of Shrewsbury, and the county of Salop, out of the provisions of an act, made in the eighth year of the reign of his late majesty King George the Second, intituled, An act for regulating the quartering of soldiers during the time of the elections of members to serve in parliament; so far as the same relates to the removal of troops during the elections of members to serve in parliament; for a limited time.

Preamble. 20 Geo. 3. c. 50. recited, further continued during the present hostilities.

C A P. XXX.

An act for allowing the importation of goods of the growth, produce, or manufacture, of the islands of Saint Christopher, Nevis, and Montserrat, into any ports of his Majesty's dominions in Europe or America, upon payment of the British plantation duties.

Goods the produce or manufacture of St. Christophers, Nevis, and Montserrat, may be imported in neutral vessels, on payment of plantation duties; provided the importer make oath to the truth thereof.

C. A. P. XXXI.

An act for the preventing of bribery and corruption in the election of members to ſerve in parliament for the borough of Cricklade, in the county of Wilts.

WHEREAS there was the moſt notorious bribery and corruption as the laſt election of burgeſſes to ſerve in parliament for the borough of Cricklade, in the county of Wilts: and whereas ſuch bribery and corruption is likely to continue and be practiſed in the ſaid borough in future, unleſs ſome means are taken to prevent the ſame; in order therefore to prevent ſuch unlawful practices for the future, and that the ſaid borough may from henceforth be duly repreſented in parliament; be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from henceforth it ſhall and may be lawful to and for every freeholder, being above the age of twenty-one years, who ſhall have, within the hundreds or diviſions of *Highworth, Cricklade, Staple, Kingſbridge, and Malmsbury*, or one or more of them, in the county of *Wilts*, a freehold of the clear yearly value of forty ſhillings, to give his vote at every election of a burgeſſes or burgeſſes to ſerve in parliament for the ſaid borough of *Cricklade*. Preamble.
Certain freeholders intitled to vote for the borough of Cricklade:

II. And be it further enacted by the authority aforeſaid, That the right of election of a member or members to ſerve in parliament for the ſaid borough of *Cricklade*, ſhall be, and is hereby declared to be, in ſuch freeholders as aforeſaid, and in the perſons who, by the cuſtom and uſage of the ſaid borough, have, or ſhall hereafter have, a right to vote at ſuch election; and the proper officer for the time being, to whom the return of every writ or proceſs does belong, is hereby required to return the perſon or perſons to ſerve in parliament for the ſaid borough who ſhall have the major number of votes of ſuch freeholders and other perſons having a right to vote at ſuch election; any law or uſage to the contrary notwithstanding. Customary voters alſo intitled.

III. Provided always, That ſuch freeholders only ſhall be intitled to vote as ſhall be duly qualified to vote at elections for knights of the ſhire for the ſaid county of *Wilts*, according to the laws now in being for regulating county elections. No freeholders to vote but ſuch as are qualified to be county voters.

IV. And be it further enacted by the authority aforeſaid, That every ſuch freeholder, before he is admitted to poll at any election for the ſaid borough, ſhall, if required by the candidates, or any of them, or any other perſon having a right to vote at the ſaid election, firſt take the oath, or, being one of the people called *Quakers*, the ſolemn affirmation following; *videlicet*, Freeholders to be ſworn.

I Do ſwear, [or, being a *Quaker*, ſolemnly affirm], That I am a freeholder in the hundreds or diviſions of *Highworth, Cricklade*, The oath.

lade, Staple, Malmſbury, and Kingsbridge, or any one or more of them, in the county of Wilts, and have a freehold eſtate conſiſting of [ſpecifying the nature thereof; and if it conſiſts in meſſuages, lands, tenements, or tithes, in whoſe occupation the ſame are; and if in rent, the names of the owners or poſſeſſors of the tenements out of which ſuch rent is iſſuing, or of ſome of them], ſituate, lying, or being at in the aforeſaid hundreds or diviſions, or in one or more of them, of the clear yearly value of forty ſhillings, over and above all rents and charges payable out of or in reſpect of the ſame; and that I have been in the actual poſſeſſion or receipt of the rents and profits thereof, for my own uſe, above twelve calendar months, [or, that the ſame came to me within the time aforeſaid by deſcent, marriage, marriage ſettlement, deviſe, or promotion to a benefice in a church, or by promotion to an office]; and that ſuch freehold eſtate has not been granted or made to me fraudulently, on purpoſe to qualify me to give my vote; and that the place of my abode is at in , and that I am twenty-one years of age, as I believe, and that I have not been polled before at this election.

Penalty on committing perjury, or ſubornation thereof.

Which oath, or ſolemn affirmation, the proper officer, to whom the return of any writ or precept for ſuch election ſhall belong, is hereby required to adminiſter: and in caſe any freeholder, or other perſon taking the ſaid oath or affirmation hereby appointed, ſhall thereby commit wilful perjury, and be thereof convicted; or if any perſon ſhall unlawfully and corruptly procure or ſuborn any freeholder or other perſon to take the ſaid oath or affirmation, in order to be polled, whereby he ſhall commit ſuch wilful perjury, and ſhall be thereof convicted, he and they, for every ſuch offence reſpectively, ſhall incur ſuch penalties as are inflicted on perſons guilty of perjury, or ſubornation of perjury, in and by two acts of parliament, one made in the fifth year of the reign of Queen Elizabeth, intituled, *An act for puniſhing ſuch perſons as ſhall procure or commit wilful perjury, or ſuborn or procure any perſon to commit any wilful or corrupt perjury*; and the other, made in the ſecond year of the reign of his late majeſty King George the Second, intituled, *An act for the more effectual preventing and further puniſhment of forgery, perjury, and ſubornation of perjury, and to make it felony to ſteal bonds, notes, or other ſecurities for payment of money, contrary to the ſaid acts.*

How officer to proceed on receiving any writ for election.

V. And be it further enacted by the authority aforeſaid, That ſuch proper officer, to whom any writ or precept ſhall be directed for making any election for the ſaid borough, ſhall, upon the receipt of ſuch writ or precept, indorſe upon the back thereof the day of his receipt thereof, in the preſence of the party from whom he received ſuch precept, and ſhall forthwith cauſe publick notice to be given within the ſaid borough of Cricklade, and the ſeveral towns of Highbworth, Malmſbury, Swindon, and Wotton Baſſet, by affixing up a notice thereof in writing on the market-houſes, or on the doors of the churches of the

he said towns, of the day of election; and shall proceed to election thereupon within the space of twelve days, and not less than eight days, next after his receipt of the same precept.

VI. And be it further enacted by the authority aforesaid, That this act shall be publickly read at every election for the said borough of *Cricklade*, immediately after the acts directed by any act of parliament to be read thereat, and before the persons present shall proceed to make such election.

This act to be read previous to any election.

C A P. XXXII.

An act to revive and continue an act, passed in the sixth year of the reign of his present Majesty, intituled, An act to regulate the loading of ships with coals in the ports of Newcastle and Sunderland.

Geo. 3. c. 22. recited. Revived, and further continued until March 25, 1789.

C A P. XXXIII.

An act for charging a stamp-duty upon inland bills of exchange, promissory notes, or other notes payable otherwise than upon demand.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, towards raising, by the most easy means, the necessary supplies to defray your Majesty's publick expences, have freely and voluntarily resolved to give and grant unto your Majesty the several duties or sums of money herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of *August*, one thousand seven hundred and eighty-two, there shall be raised, levied, collected, and paid, throughout the kingdom of *Great Britain*, unto and for the use of his Majesty, his heirs and successors,

Preamble:
From Aug. 1, 1782, the following duties shall be paid to his Majesty; viz.

For every piece of vellum or parchment, or sheet or piece of paper, upon which any inland bill of exchange, promissory note, or other note payable otherwise than upon demand, shall be ingrossed, written, or printed, where the sum expressed therein, or made payable thereby, shall not amount to the sum of fifty pounds, there be charged a stamp-duty of three-pence;

For every inland bill of exchange, and promissory note, &c. (not payable on demand) under 50l.

For every piece of vellum or parchment, or sheet or piece of paper, upon which any inland bill of exchange, promissory note, or other note payable otherwise than upon demand, shall be ingrossed, written, or printed, where the sum expressed therein, or made payable thereby, shall amount to the sum of fifty

3d; and for 50l. or upwards, 6d.

fifty pounds or upwards, there be charged a stamp-duty of fix pence.

The said duties to be under the management of the commissioners of the stamp-duties.

II. And be it further enacted, That, for the better and more effectual levying and collecting the said duties herein-before granted, the same shall be under the care and management of the commissioners for the time being appointed to manage the duties charged on stamped vellum, parchment, and paper; for which purpose they, or the major part of them, are hereby required and impowered to employ the necessary officers under them, and to use and provide such stamps to denote the said several duties, as shall be requisite in that behalf, and to do all other things necessary to be done for putting this act in execution, with relation to the said duties herein-before granted, in the like, and in as full and ample manner as they, or the major part of them, are authorized to put in execution any former law concerning stamped vellum, parchment, and paper.

All such bills and notes, not properly stamped to be invalid.

III. And, for better securing the said stamp-duties hereby imposed, be it further enacted, That all vellum, parchment, and paper, upon which any such bill of exchange, promissory note, or other note payable otherwise than upon demand, shall be ingrossed, written, or printed, shall, before the same shall be ingrossed, written, or printed, be brought to the head office for stamping and marking of vellum, parchment, and paper; and the said commissioners, by themselves or their officers, shall from time to time stamp or mark, as this act directs, any quantities of vellum, parchment, or paper, upon payment of the said duty; the said duty to be paid by the person or persons giving such bill of exchange, promissory note, or other note, as aforesaid; and if any such bill of exchange, promissory note, or other note, so hereby directed to be stamped, shall not be marked or stamped as by this act is directed, or shall be marked or stamped for a lower duty than as aforesaid, no such bill of exchange, promissory note, or other note, shall be pleaded or given in evidence in any court, or admitted in any court to be good or available in law or equity.

Stamp office to make the usual allowance on present payment of the duties.

IV. And be it further enacted, That the same allowance shall be made on present payment of the several duties granted by this act, in such manner as by any former law relating to stamped vellum, parchment, and paper, is directed and allowed.

The said stamps may be altered.

V. And be it further enacted, That such stamps as the said commissioners are hereby directed and authorized to provide and use, shall and may be altered and renewed in such manner as any other stamps on vellum, parchment, or paper, are, by any former law relating to stamped vellum, parchment, or paper, directed to be altered and renewed.

Penalty on counterfeiting any stamps directed to be used by this act.

VI. And be it further enacted, That if any person shall counterfeit or forge, or procure to be counterfeited or forged, any stamp or mark, directed or allowed to be used by this act, for the purpose of denoting the duties by this act granted, with an intent

intent to defraud his Majesty, his heirs and successors, of any of the said duties; or shall fraudulently use any stamp or mark, directed or allowed to be used by this act, with intent to defraud his Majesty, his heirs or successors, of any of the said duties; or shall utter, vend, or sell, any vellum, parchment, or paper, liable to the said duties, with such counterfeit mark or impression thereupon, knowing the same to be counterfeit; then every such person so offending, and being thereof lawfully convicted, shall be adjudged a felon, and shall suffer death as in cases of felony, without benefit of clergy.

VII. And be it further enacted, That all powers, provisions, articles, clauses, distributions of penalties and forfeitures, and all other matters and things prescribed or appointed by any former act or acts of parliament, relating to the stamp-duties on vellum, parchment, and paper, shall be of full force and effect with relation to the duties hereby imposed, and shall be applied and put in execution for the raising, levying, collecting, and securing, the said new duties hereby imposed, according to the true intent and meaning of this act, as fully, to all intents and purposes, as if the same had severally and respectively been hereby enacted with relation to the said new duties hereby imposed.

All former provisions and penalties relating to the stamp duties shall be in force in levying, &c. the present duties.

VIII. And be it further enacted, That the several rates and duties herein-before granted shall be paid, from time to time, into the hands of the receiver-general for the time being of the duties on stamped vellum, parchment, and paper, who shall keep a separate and distinct account of the several duties imposed by this act, and pay such duties (the necessary charges of raising, paying, and accounting for the same being deducted) into the receipt of the exchequer, for the uses and purposes in this act mentioned, at such time, and in such manner, as any former duties on stamped vellum, parchment, or paper, are directed to be paid.

Duties to be paid to the receiver-general, and by him paid into the exchequer.

IX. And be it further enacted, That there shall be provided and kept in the office of the auditor of the said receipt of exchequer, a book or books, in which all the monies arising from the said several duties imposed by this act, and paid into the said receipt as aforesaid, shall be entered separate and apart from all other monies paid and payable to his Majesty, his heirs and successors, upon any account whatsoever; and the said money, so paid into the said receipt of exchequer as aforesaid, shall, together with such other rates, duties, and revenues, as shall be granted by any act or acts of this session of parliament for this purpose, be a fund for the payment of the several and respective annuities, and all such other charges and expences, as are directed to be paid and payable pursuant to an act of this present session of parliament, intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery.*

Auditor of the exchequer to keep a separate account of the monies produced by this act.

Application thereof.

X. And be it further enacted, That if any person or persons shall, at any time or times, be sued, molested, or prosecuted, for any thing by him or them done or executed in pursuance of

Persons sued for executing this act, may plead the general issue,

and recover
treble costs.

this act, or of any clause, matter, or thing, herein contained, such person and persons shall and may plead the general issue, and give the special matter in evidence for his or their defence; and if upon the trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, then such defendant or defendants shall have treble costs awarded to him or them, against such plaintiff or plaintiffs.

C A P. XXXIV.

An act for raising a certain sum of money by loans or exchequer bills, for the service of the year one thousand seven hundred and eighty-two; and for consolidating certain annuities, which were made one joint stock by an act made in the thirty-first year of the reign of his late majesty King George the Second, with certain annuities consolidated by several acts, made in the twenty-fifth, twenty-eighth, twenty-ninth, thirty-first, thirty-second, and thirty-third years of the reign of his said late Majesty, and several subsequent acts.

Commissioners of the treasury may raise 1,500,000*l.* by loans and exchequer bills, before Jan. 5, 1783; in like manner as is prescribed by the said tax act of this session, concerning loans, &c. The clauses, &c. in the said act relating to loans or exchequer bills, (except such as charge the same on the taxes granted by the said act, or limit the rate of interest of money on credit of the same act, and as aftermentioned), extended to this act. Exchequer bills so issued not to be received again in payment of any taxes, nor exchanged before April 6, 1783. Action not to lie for such refusal. Principal and interest, with charges, to be repaid out of the next supplies; and if sufficient supplies be not granted before July 5, 1783, to be charged on the sinking fund. Monies so issued to be replaced out of the first supplies. Bank of England authorized to advance the said sum on the credit of this act; an act 5 & 6 Gul. & Maria notwithstanding. Recital of 31 Geo. 2. c. 22. The sum of 4,500,000*l.* shall, from July 5, 1782, with the consent of the proprietor, be added to the 3 per cent. consols. Proprietors, who shall not signify their dissent before June 6, 1782, shall be deemed to assent thereto.

C A P. XXXV.

An act for the better relief and employment of the poor of the parish of Saint John of Wapping, in the county of Middlesex; and for providing a proper workhouse and burial ground for the use of the said parish; and for opening certain communications, and making certain streets, within the said parish.

The rector, curate, churchwardens, and overseers of the poor for the time being, and other trustees appointed. On death, refusal or neglect to act for six months, or removing out of the parish, or being rendered incapable, the rector, curate, churchwardens, overseers of the poor and vestrymen, qualified as aftermentioned, at the next annual election of parish officers, may chuse by ballot, or otherwise, other trustees to be invested with the same power as the former. Meetings of trustees to be in fourteen days after passing the act, and may adjourn themselves to any time and place, and meet as they think proper, and any five or more may act. Adjournment (if not a sufficient number of trustees) by trustees present or the clerk, on three days notice on the church door, to be not more than ten days next after. Trustees shall defray their own expences. Qualification of trustees, to be proprietor or occupier of an house or other tenement, charged to the relief of the poor, at the rent of fifteen pounds, or more, which hath been paid, and to be capable of acting as a vestryman, to hold or occupy an house, or other tenement, charged at 10*l.* per ann. to the poor, and having paid the last rate. Trustees not to act when interested,

increased. Vicars, &c. incapable of acting as trustees. Trustees may appoint clerks, treasurers, collectors, surveyors, and other officers, as seven or more trustees may think proper, who may remove such officers at pleasure, and allow them salaries. All persons to pay their rates to the collectors, and the treasurer to keep distinct accounts of money received, and pay money as five or more trustees shall order; and account once a year, or oftener, and pay the balance, as the trustees shall direct; and in default be liable to such penalties as overseers of the poor in such cases. No person compellable to be collector against his will, except overseers of the poor for the time being, who shall be obliged to collect the poor's rate, unless the trustees appoint a collector thereof. Officers to give security. Trustees may purchase lands, erect or repair a workhouse, and inclose a burial-ground; or may hire a house, or houses. Accounts to be open to inspection of persons paying the rates. Trustees to make orders relating to the poor; and may contract for employing and maintaining them, and punish the disorderly. Persons buying, or receiving in pawn, any thing belonging to the workhouse, shall forfeit 40s. Furniture, &c. vested in the trustees, who may bring actions or prefer indictments in case the same are injured, &c. Persons wandering, or begging, may be sent to the workhouse. Trustees to make rates for relief of the poor; and may take copies of the land tax books. Owners of tenements let to several persons liable to the rates. Rates to be allowed by two justices, and may be recovered, as directed by 43 Eliz. Churchwardens, overseers, and collectors, shall account and pay monies to the trustees and their treasurer; and on default may be committed to the county gaol till paid or compounded with the trustees. Laws relating to the poor to continue in force. No poor's rate to be made contrary to this act. Occupiers of tenements to pay rates for the time they occupy only. Inhabitants allowed to give evidence. Notice to be given of vestry meetings in the church on the Lord's day preceding, on penalty of 20s. on every neglect; to be recovered as other forfeitures by this act, on complaint of churchwardens or overseers of the poor. Utility of opening certain communications, by making and opening streets across certain fields or gardens, and through Black-horse Yard; and from thence across Upper East Smithfield into Saltpetre-bank, and from Nightingale-lane into Virginia-street. Trustees empowered to purchase buildings and lands, and make and open streets. Persons under incapacities empowered to make conveyances. In case the parties refuse to treat, &c. the value to be settled by a jury. Jurors may be challenged. Witnesses may be examined on oath. Verdict of jury, &c. to be final. On payment of the money conveyances to be made. In case such conveyances are not made, or the parties cannot evince their titles, the money shall be paid into the bank, subject to the court of chancery. Verdicts and judgements to be registered, and the lands vested in the trustees. Money may be vested in government securities, for the benefit of the persons intitled thereto. If purchase monies be not paid within three months, verdict, &c. not binding. Purchase money to be laid out in the purchase of other lands settled to the same use. Conveyances of femes-covert by bargain and sale acknowledged, and inrolled in the register-office of Middlesex in six months, as effectual as a fine or recovery. Trustees may reconvey such parts of lands purchased, as are not necessary for the purposes of this act. Trustees may contract for works to be done, and may support actions for breach of contracts, and may employ workmen, &c. The trustees to make rates to defray the charges of making communications. Rates to be collected half yearly, or oftener, and recovered. Distresses may be made in other parishes or counties. Trustees may compound with owners of houses, under 20l. per ann. for not less than two-thirds. Empty houses, &c. to be rated but one-third. How publick buildings, waste grounds, &c. shall be assessed at not more than 6d. per square yard. Such rates to be recovered by action in the name of the collector. No action to abate on account of the death of the treasurer or a collector. Occupiers liable to payment of rates and arrears thereof while houses remained unoccupied; to be deducted out of their rent. Rates to be recovered from persons quitting their

tenements by diſtreſs and ſale, under a juſtice's warrant, who may alſo order coſts. Rates may be reduced on account of poverty, &c. Agreements between landlords and tenants not to be impeached. Additional rates to make good monies loſt by collectors. Truſtees may act as juſtices. Truſtees may borrow money at legal intereſt, or on annuities, not exceeding 2,500l. upon the rates; and at intereſt 4,000l. on the new intended ſtreets, and aſſign the rates as a ſecurity, at legal or leſs intereſt, payable half yearly. Annuities at 10 per cent. and charged on the rates, and deemed indefeazible eſtates, not chargeable to the land tax. Receipts and orders for payment to be ſigned and given to the contributors. Annuities may be aſſigned toties quoties. Rates to be lowered as annuitants die off. All monies raiſed to be veſted in the truſtees. Expences of paſſing this act to be firſt paid. Truſtees may compound for penalties and forfeitures; but ſuch mitigation not to extend to more than one moiety thereof. Penalties and forfeitures to be recovered by diſtreſs and ſale of goods, or commitment to gaol, for not more than two months, nor leſs than fourteen days, unleſs ſooner paid. Perſons aggrieved may appeal to the quarter ſeſſions; giving ten days notice. Rates to be altered only in the particulars complained of. Truſtees may reward informers. Juſtices impowered to adminiſter oaths. Writings to be without ſtamps. Orders and accounts to be entered in books. Proceedings not to be quaſhed for want of form, nor removed by certiorari. Diſtreſſes not to be deemed illegal for want of form only. Plaintiff not to recover after tender of amends. Limitation of actions for acting under this act, not till ten days notice, nor after tender of amends, nor after three calendar months. The defendant may plead the general iſſue, and have treble coſts. To be a publick act.

C A P. XXXVI.

An act for raiſing a further ſum of money, by loans or exchequer bills, for the ſervice of the year one thouſand ſeven hundred and eighty-two.

Commiſſioners of the treasury may raiſe 1,900,000l. by loans and exchequer bills before Jan. the 5th, 1783, in manner as by the land tax act of this ſeſſion is preſcribed, &c. The clauses in the ſaid act relating to loans or bills, (except ſuch as charge the ſame on the taxes granted thereby, and limit the rate of intereſt as aftermentioned), extended to this act. Exchequer bills ſo iſſued not to be received again in payment of any taxes, nor exchanged before April 6, 1783. Action not to lie for ſuch refusal. Money ſo raiſed to be repaid out of the next parliamentary aid; and if ſufficient ſupplies be not granted before July 5, 1783, to be charged on the ſinking fund. Monies ſo iſſued to be replaced out of the firſt ſupplies. Bank of England authorized to advance the ſaid ſum on the credit of this act; the act 5 & 6 Gul. & Mariae notwithstanding.

C A P. XXXVII.

An act for the more eaſy and ſpeedy recovery of ſmall debts within the pariſhes of Broſeley, Benthall, Madeley, Barrow, Linley, Willey, Little Wenlock, and Dawley, and an extraparochial place called Poſnall, in the county of Salop.

Commiſſioners conſtituted a court of juſtice, by the name and ſtyle of the Court of Requeſts for the pariſhes of Broſeley, Benthall, Madeley, Barrow, Linley, Willey, Little Wenlock, and Dawley, and an extraparochial place called Poſnall, in the county of Salop, and ſeven, or more of them, may act, and to meet at Broſeley every Tueſday fortnight, except Chriſtmas-day, which if on a Tueſday, the court to be held the next preceding day. For want of a ſufficient number to act, the court to be adjourned to another day. Power of the commiſſioners to hear and determine all ſuch cauſes and matters of debt as ſhall be brought before them

as aforementioned, and to give ſuch judgement, and to make ſuch interlocutory and final orders and decrees, and to award ſuch execution with coſts, both againſt bodies, goods and chattels, of all perſons againſt whom they ſhall give or make ſuch judgement, order, or decree, as to them ſhall ſeem juſt and moſt agreeable to equity and good conſcience: and if the commiſſioners be equally divided in opinion, him that is firſt upon the liſt to have the caſting voice. Election of commiſſioners, in caſe of death, refusal, or neglect, to act for twelve calendar months, to be at a ſpecial meeting of nine or more commiſſioners (not on a court day), by a majority. Clerk and ſerjeant appointed, who are reſpectively to continue ſo long as they behave themſelves well in their reſpective offices. Vic-tuallers not to hold any place of profit. Election of clerk and ſerjeant, on vacancy by death, reſignation, miſbehaviour, or neglect of duty, by a majority of commiſſioners at a meeting for that purpoſe. Clerk to fix up a liſt of the commiſſioners in the court-houſe, and to iſſue ſummonſes, and register orders. Serjeant to ſerve precepts. Perſons may ſue for debts under 40s. Proceſs ſhall iſſue by ſummons in writing, directed to the debtor, ſpecifying the ſum demanded, the name of the demandant, and requiring the debtor to appear at a certain time and place, before the commiſſioners, to answer ſuch demand: which ſhall be ſerved by the ſerjeant perſonally, or by leaving at his place of abode within the limits of the ſaid court. If the debtor, on being ſerved with the ſummons, ſhall pay the debt and fees, all proceedings ſhall ſtop. Commiſſioners may regulate proceedings of the court, and adminiſter oaths. Commiſſioners, on non appearance of defendant, may proceed ex parte; and on non-appearance of the plaintiff, or not making proof of his debt, may award coſts; and may award execution, and commit the party to the priſon to be provided at Broſeley, till performance of order, judgement or decree, but not for more than ſix weeks. And on execution awarded againſt goods, the ſerjeant may diſtrain (within the limits of the court), and ſell the ſame, and levy the debt and coſts thereby. And if the party absconds, or removes his goods, to evade ſuch execution, on proof by the ſerjeant, or one witneſs, may award execution againſt body or goods, till the plaintiff is fully paid and ſatiſfied. Court may order debts to be paid by instalments, &c. On execution, clerk to indorſe debt and coſts. Execution ſhall be ſuſpended, if the defendant, before actual ſale of goods or imprisonment, or before expiration of the time of imprisonment, pay or tender to the clerk the debt and coſts, with 1s. for the clerk's trouble, and entering acknowledgement of ſatiſfaction, and alſo 2s. (if in priſon) for gaol fees. Serjeant ſuffering an eſcape, or goods to be removed, to pay debt and coſts. No attorney or ſolicitor to plead or have privilege in the court. Qualification of commiſſioners, to be in poſſeſſion of 20l per ann. in lands, tenements, or hereditaments, or 400l. perſonal eſtate. Acting without ſuch qualification 50l. penalty. Commiſſioners to be ſworn as follows:

I A. B. do ſwear, (or affirm, as the caſe may be), That I will faithfully, impartially, and honeſtly, according to the beſt of my judgement, hear and determine all ſuch matters and cauſes as ſhall be brought before me by virtue of an act of parliament, for the more eaſy and ſpeedy recovery of ſmall debts within the pariſhes of Broſeley, Benthall, Madeley, Barrow, Linley, Willey, Little Wenlock, and Dawley, and an extraparochial place called Poinall, in the county of Salop, without favour or affection, prejudice or malice, to either party:

So help me GOD.

Fees to be taken.

To the Clerk.

- For entering every cauſe, ſixpence:
- For iſſuing every ſummons, ſixpence:
- For every ſubpoena, ſixpence:
- For calling every plaintiff or defendant before the court, three pence:
- For every hearing or trial, ſixpence:
- For ſwearing every witneſs, plaintiff, or defendant, three pence:
- For every order, judgement, or decree, ſixpence:
- For a nonſuit, ſixpence:

- For every featch in the books, three pence:
- For paying money into court, fixpence; if by instalments, fixpence in the pound more:
- For taking money out of court, and acknowledging fatisfaction in the clerk's books, fixpence:
- For every attachment, fixpence:
- For every execution, fixpence:
- For every warrant of commitment for an assault, insult, or misbehaviour in the court, or to the commissioners, clerk, or other officer of the court, one shilling.

To the Serjeant.

- For the service of every fummons, order, or subpoena, if within the town and parish of Broseley or Benthall, and attending the court with the return thereof, three pence; if out of either of the said towns and parishes, one penny more for every mile from the court-house, (the distance to be ascertained by any seven or more of the said commissioners):
- For calling every plaintiff or defendant before the court, one penny:
- For executing every attachment, execution, or warrant, against the body or goods, within the said town and parish of Broseley or Benthall, one shilling; if out of either of the said towns and parishes, three pence more for every mile:
- For carrying every plaintiff, defendant, or delinquent to prison, if apprehended within the said town of Broseley or Benthall, one shilling; and if apprehended out of the said towns, three pence more for every mile.

'Table of fees to be hung up in the court-house. Nine commissioners, on ten days notice affixed on the door of the court house, may lessen the fees not more than one half, and raise the same again on like notice, but not more than as aforesaid. Penalty on taking or demanding greater fees or rewards, not more than 5*l.* and not less than 40*s.* to the use of the poor of the parish where the person paying such fees or rewards shall reside, or from whom the same were demanded. Clerks and serjeants may be displaced. A prison at Broseley may be erected for securing persons liable to confinement, under the powers contained in this act. Books, &c. vested in the commissioners. Clerk and serjeant may appoint a deputy. Commissioners not to act where interested. Persons misusing the court may be apprehended by a warrant from the commissioners, and taken before a justice of the peace, who, upon proof of the fact by oath of one witness, may fine the offender not more than 40*s.* nor less than 5*s.* to be paid immediately to the justice, and applied as fines beforementioned, or on default may be committed to Broseley gaol for three calendar months, or till the fine is paid. Copy of preceding clause to be stuck up in the court-house. Gaoler to receive persons committed. Persons committed upon execution to be allowed 2*d.* a day during their confinement. No action for debt recoverable by this act to be brought in any other court. This act shall not extend to debts for rent upon any lease or contract where the title may come in question, or on any other real contract; nor to debts by reason of any cause concerning wills, matrimony, or any thing properly belonging to the ecclesiastical courts; or for money won at horse-races, cock-matches, or any kind of gaming or play, nor for forfeitures on penal statutes or bye laws; nor to any debt contracted on a Sunday, (except in physick or surgery, or cases of absolute necessity); or if no contract, acknowledgement, undertaking, or promise, within six years, though under 40*s.* Penalty for wilful perjury the same as in other cases by law. Penalty on disobeying the subpoenas of the court, to give evidence; fine not more than 50*s.* nor less than 5*s.* (and if not paid immediately) to be levied by distress and sale of goods, by warrant of seven commissioners, to be paid to the party at whose instance such subpoena issued. Writings to be without stamps. Nothing in this act to affect the court of record at Wenlock. Limitation of actions, for acting under this act, not till twenty days

days notice, or tender of amends, or unless within three calendar months, and to be laid in the county of Salop, and not elsewhere, and the defendant may plead the general issue, and give the special matter in evidence, and have treble costs. To be a publick act.

C A P. XXXVIII.

An act to permit the importation of British plantation tobacco from any port or place either in America, or the West Indies, or in Europe, during the present hostilities.

WHEREAS by an act of parliament, made in the twentieth year of his Majesty's reign, (intituled, An act to admit to an entry in this kingdom, under certain restrictions, tobacco imported not directly from the place of its growth or produce, and for granting an additional duty on such tobacco, during the present hostilities), it is, amongst other things, enacted, That any tobacco, being the growth or produce of any part of the British dominions in America, which, during the continuance of the present hostilities, should be bona fide imported into and landed at any British island in the West Indies, from any island or place in America, or the West Indies, in amity with his Majesty, his heirs, or successors, shall and may be imported directly from such British island, and shall and may be entered and landed in this kingdom, upon the payment of the proper duties due thereon, under the restrictions in the said act mentioned: and whereas it is expedient to permit, for a limited time, the importation of such tobacco into Great Britain directly from any port or place in amity with his Majesty, either in America, or the West Indies, or in Europe: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twenty-fourth day of June, one thousand seven hundred and eighty-two, and during the continuance of the present hostilities, it shall and may be lawful for any person to import into Great Britain, in any British ship or vessel duly navigated, or in any neutral ship or vessel, any tobacco of the growth, product or manufacture of any British colony or plantation in America, directly from any island, port, or place, in America, or the West Indies, or in Europe, in amity with his Majesty, his heirs, or successors; and such tobacco shall and may be entered and landed in any part of Great Britain, upon payment of the same duties as would be due and payable for the same, if such tobacco had been imported from any British island or place in America, not being the island or place of the growth of such tobacco, although the same shall not be accompanied with any manifest, certificate, or other document, required by the said recited act, or by any other act or acts of parliament now in force: and such tobacco shall, in all other respects not altered by this act, be subject and liable to the same securities, rules, regulations, restrictions, penalties, and forfeitures,

Preambles
Recital of
20 Geo. 3. c. 39.

From June 24,
1782, during
the present
hostilities,
British planta-
tion tobacco
may be im-
ported from
any neutral
port in Ame-
rica or in
Europe.

tures, as such tobacco would be subject and liable to, if the same had been imported directly from any *British* colony or plantation in *America*; any law, custom, or usage, to the contrary notwithstanding.

C A P. XXXIX.

An act for granting to his Majesty additional duties upon salt; and certain duties upon Glauber or Epsom salts, and also on mineral alkali or flux for glass, made from salt; and to prevent frauds in the duties on foul salt, to be used in manuring of lands.

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, have freely and voluntarily resolved to give and grant unto your Majesty the several additional rates and duties on salt already rated to your Majesty; and also the several rates and duties on salt, commonly called *Glauber* or *Epsom* salts, and on mineral alkali or flux for glass, to be made from salt, hereafter mentioned; and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twenty-second day of *June*, one thousand seven hundred and eighty-two, there shall be raised, levied, collected, and paid to and for the use of his Majesty, his heirs and successors, for and upon all salt already rated, over and above the rates and duties now due or payable thereon by any act or acts of parliament now in force, the several additional rates and duties, and also for and upon all salts called *Glauber* or *Epsom* salt, and alkali or flux for glass, made from salt, brine or sea water, the several rates and duties following; that is to say,

From June 22, 1782 the following additional and other duties on salt to be paid to his Majesty; viz.

For every gallon of foreign salt, on importation, 2 d. 2 q.

For every gallon of salt, not being the product or manufacture of *Great Britain*, that shall be imported, from and after the said twenty-second day of *June*, one thousand seven hundred and eighty-two, into any part of *Great Britain*, the sum of two pence halfpenny of lawful money of *Great Britain*, to be paid by the importer or importers thereof: and after that rate for a greater or lesser quantity:

For every gallon of salt and rock salt, made &c. in England or Wales, 2 d. 1 q.

For every gallon of salt, and rock salt, that, from and after the said twenty-second day of *June*, one thousand seven hundred and eighty-two, shall be made at any salt works, or be taken out of any pit or pits, in that part of *Great Britain* called *England*, *Wales*, and town of *Berwick upon Tweed*, the sum of one penny farthing of like lawful money; and after that rate for a greater or lesser quantity:

For

For every buſhel of ſalt that, from and after the ſaid twenty-ſecond day of *June*, one thouſand ſeven hundred and eighty-two, ſhall be made at any ſalt works, or be taken out of any pit or pits, in that part of *Great Britain* called *Scotland*, the ſum of three pence of like lawful money; and after that rate for a greater or leſſer quantity:

For every buſhel of ſalt made, &c. in *Scotland*, 3 d.

For every buſhel of ſalt that, from and after the ſaid twenty-ſecond day of *June*, one thouſand ſeven hundred and eighty-two, ſhall be imported from *Scotland* into *England*, *Wales*, or town of *Berwick upon Tweed*, the ſum of ſeven pence of like lawful money; and after that rate for a greater or leſſer quantity, to be paid by the importer or importers thereof:

and imported from *Scotland* into *England*, 7 d.

For every hundred weight of all ſalts known or called by the name of *Glauber* or *Epfom* ſalts, made at any ſalt works in *Great Britain*, which, from and after the ſaid twenty-ſecond day of *June*, one thouſand ſeven hundred and eighty-two, ſhall be made or produced at any ſalt work within the kingdom of *Great Britain*, the ſum of twenty ſhillings of like lawful money; and after that rate for a greater or leſſer quantity:

For every hundred wt. of *Glauber* ſalts made in *Great Britain*, 20 s.

And for every ton of mineral alkali or flux for glaſs, which, from and after the ſaid twenty-ſecond day of *June*, one thouſand ſeven hundred and eighty-two, ſhall be made of any rock ſalt or ſalt rock, or from any brine or ſea water, in that part of *Great Britain* called *England*, *Wales*, and town of *Berwick upon Tweed*, and alſo in that part of *Great Britain* called *Scotland*, the ſum of twenty ſhillings of like lawful money; and after that rate for a greater or leſſer quantity, to be paid by the proprietor or proprietors, manufacturer or manufacturers, of ſuch mineral alkali or flux for glaſs.

For every ton of mineral alkali, made of rock ſalt, &c. in *Great Britain*, 20 s.

Which ſaid ſeveral reſpective additional and other rates and duties herein-before granted, ſhall and may, from time to time, be charged, raiſed, received, levied, collected, recovered, ſecured, and paid unto his Maſeſty, his heirs and ſucceſſors, by ſuch ways and means, and under ſuch management, and ſubject to ſuch penalties and forfeitures, and with ſuch power of adjudging and mitigating penalties and forfeitures, and ſubject to ſuch allowances, repayments, drawbacks, rules, regulations, and directions, in all reſpects, (not otherwiſe directed by this act), as the preſent duties on ſalt are or can by any law or ſtatute now in force be charged, raiſed, received, levied, collected, recovered, ſecured, and paid, as fully and effectually, to all intents and purpoſes, as if all and every the ſeveral and reſpective powers, authorities, methods, penalties, forfeitures, fines, powers of recovery, and mitigation of penalties, forfeitures, and fines, allowances, repayments, drawbacks, rules, regulations, directions, clauſes, matters, and things, were particularly repeated and again enacted in the body of this preſent act.

New duties to be levied and recovered, &c. in ſuch manner as the old duties.

II. Provided always, and be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons in *Great Britain* to take rock ſalt or ſalt rock from any

No perſon to take rock ſalt, brine, &c. for making any

ing a mineral
alkali or flux
for glafs,
without a li-
cence.

any rock pit, or to take any brine or sea water for the purpose of making a mineral alkali or flux for glafs, upon giving security in double the duty of such salt rock or rock salt, brine or sea water; such security to be discharged upon the proprietor or manufacturer, or his agent, making oath before a neighbouring justice of peace, that all the said salt, for which such bond or bonds were given, were made use of in making such mineral alkali or flux for glafs, and for no other purpose whatsoever, and the officer at the same time certifying his belief thereof; and that no person or persons whatsoever shall obtain, receive, or have any such salt, brine, or sea water, for the purpose of making mineral alkali or flux for glafs therefrom, unless such person or persons shall have first obtained a licence from the commissioners of the salt duties, or persons properly appointed or authorized by them for granting such licences, for making of mineral alkali or flux for glafs, to be made from such salt rock or rock salt, or from brine or sea water, as aforesaid; or from any other materials whatever, and shall pay for such licence the sum of five pounds of like lawful money; and which licence, upon payment thereof, the said commissioners, or those appointed under them for that purpose, are hereby impowered and required to grant accordingly, (unless they shall see just cause to the contrary); and also shall and do deliver in to such commissioners, or at the salt office next to the place or places where the said mineral alkali or flux for glafs is intended to be made by such person or persons respectively, or to their respective places of habitation, a true and particular entry in writing, under his or their respective hands, containing the particular situation of the place or places, wherein not only the said mineral alkali is to be manufactured, but also where the same, and the rock salt or salt rock, brine or sea water, from which the same is to be made, shall be kept, stored, or deposited; and also of every storehouse, warehouse, and other place, to be in any wise used in or about the manufacturing of such mineral alkali or flux for glafs: and if any person shall make or manufacture any mineral alkali or flux for glafs, without first taking out such licence as aforesaid, every such person shall for every such offence, forfeit the sum of five hundred pounds; and that every person or persons, who shall take out such licence as aforesaid, is and are hereby required to take out a fresh licence ten days at least before the expiration of twelve calendar months from taking out the first licence, before he, she, or they, do presume to make, vend, or use any rock salt or salt rock, from any rock pit, or to take any brine or sea water for the purpose of making a mineral alkali or flux for glafs, or to make any mineral alkali or flux for glafs from rock salt or salt rock, brine or sea water, or from any other materials whatever, and in the same manner to renew every such licence from year to year, paying down the like sum of five pounds for each and every new or renewed licence, in manner beforementioned; and if any person or persons shall, after the twenty-second day of

§ 1. to be paid
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made of the
place where
the mineral
alkali is to
be manufac-
tured, and the

Penalty on
manufactur-
ing mineral
alkali with-
out taking
out a licence,
and annually
renewing the
same.

June,

June, one thousand seven hundred and eighty-two, presume to make any mineral alkali or flux for glass, or to make, vend, or use, any rock salt or salt rock, from any rock pit, or to take any brine or sea water, for the purpose of making a mineral alkali or flux for glass, without first taking out such licence, and renewing the same yearly, in manner aforesaid, he, she, or they shall respectively forfeit and lose the sum of five hundred pounds for each offence.

III. Provided also, and be it further enacted by the authority aforesaid, That no such salt rock or rock salt, as aforesaid, shall be delivered at any of the works or pits, from which the same shall arise or be produced, for the purpose or under any pretext of making mineral alkali or flux for glass therefrom, or shall be afterwards delivered at such work or works, for the purpose of making mineral alkali or flux for glass, or stored or deposited in any warehouse, store, or place, belonging thereto, or used therewith, but in the presence of some officer of salt duties attending at, or residing nearest to such salt works or pits, or alkali work or works respectively as aforesaid; and who shall respectively make and keep an entry in writing, containing the true or real weight or quantity of the salt so delivered at such salt works or pits, and brought in or delivered to or at such alkali works as aforesaid, together with the day on which the same shall be so delivered at such salt works or pits, and brought into, or delivered at such alkali work or works respectively, as aforesaid; and which entry, so to be made at such salt works or pits as aforesaid shall also contain the name of the person to whom the salt therein contained was delivered, and for the use of what work or works for the making of mineral alkali or flux for glass, and to whom belonging; and that a duplicate thereof, signed by the officer making the same, shall be produced and delivered to the officer attending at such alkali work or works, at the time the salt therein contained shall be brought in to be there used, stored, or deposited.

Salt rock, &c. not to be delivered for making mineral alkali, &c. except in the presence of a proper officer.

Officer to make an entry of the quantity of salt so delivered, &c.

IV. And be it further enacted by the authority aforesaid, That in case the salt, so to be brought in to be used, stored, or deposited, at any such work or works, for the making of such mineral alkali or flux for glass, shall be of less weight or quantity than that contained in the entry thereof at such salt work or salt pits, at the time of the delivery thereof there as aforesaid, the person or persons to whose use or on whose account the said salt was so delivered, at such salt works or pits as aforesaid, shall be answerable for the same.

Who shall be answerable for any deficiency in the quantity of salt brought to any alkali works.

V. And be it also further enacted by the authority aforesaid, That in case any person or persons, to whom or on whose use or account any such salt shall be delivered at any such salt works or pits secured as aforesaid, shall use the same, or any part thereof, or any acid materials to be produced therefrom, after being used in the making of such mineral alkali or flux for glass as aforesaid, for any other purpose than that of making mineral alkali or flux for glass, the person or persons so offend-

Penalty on persons who shall make use of such salt for any other purpose after making mineral alkali or flux for glass;

ing

ing in the premises shall, upon conviction thereof, forfeit or pay, for the salt or acid materials so to be used for any other purpose as aforesaid, at or after the rate of double the rates or duties imposed by this present act, or any former act or acts of parliament, on rock salt or salt rock delivered at or from any works or pits in *Great Britain*.

or who shall
falsely procure
such salt to
be delivered
to them for
any other pur-
pose than
making the
said mineral
alkali.

VI. And be it further enacted by the authority aforesaid, That in case any person or persons whomsoever shall, under any false or colourable pretext whatsoever, procure any such salt to be delivered to him or them, at any such salt works or pits as aforesaid, and otherwise than for the purpose of being used in the making of mineral alkali or flux for glass, and shall be convicted thereof, the person or persons so offending in the premises shall forfeit and pay, for every such offence, the sum of forty shillings, of lawful money of *Great Britain*, for every bushel so obtained.

Officers may
enter into the
warehouses,
&c. of the
manufactu-
rers of such
mineral al-
kali.

Penalty on
refusal.

VII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the several officers of the said salt duties to enter into all and every the works, warehouses, and other places made use of by any proprietor or manufacturer of mineral alkali or flux for glass, made from rock salt, salt rock, brine, or sea water, as aforesaid, either for the purpose of storing or keeping the same, or of storing or keeping any salt, brine, or sea water, for the purpose or under colour of making the same; and that if any such proprietor or manufacturer that, from and after the said twenty-second day of *June*, one thousand seven hundred and eighty-two, upon due request or demand made by the officers for the said duties in the daytime, or in the night in the presence of a constable, or other lawful officer of the peace, refuse to permit such officer to enter and come into any such works, warehouses, storehouses, and other places, shall forfeit and pay, for every such offence, the sum of forty pounds.

This act not
to extend to
certain Glau-
ber salts;

VIII. Provided always, and be it further enacted by the authority aforesaid, That nothing in this act shall extend, or be construed to extend, to lay or impose any duty on such *Glauber* salts as shall be made or produced in any of the processes of making mineral alkali or flux for glass, as aforesaid, and which *Glauber* salts shall be truly and *bona fide* expended and consumed in making such mineral alkali or flux for glass.

nor to the
manufacture
of kelp, &c.
made in Great
Britain by the
incineration
of plants.

IX. And be it further enacted by the authority aforesaid, That nothing in this act shall extend, or be construed to extend, to the manufacture of kelp, barilla, or flux for glass, made in any part of *Great Britain*, by the incineration of marine or any other plants.

New duties to
be paid into
the exche-
quer separate
from all other
duties, and
ac-
crued ac-
cordingly.

X. And be it further enacted by the authority aforesaid, That the monies arising by the said several additional rates and duties, herein-before by this act granted, shall from time to time be paid into the receipt of his Majesty's exchequer by the respective commissioners for the duties on salt in *England* and *Scotland* for the time being, at such times, and in such manner,

the present duties on salt are by any law now in force directed to be paid, (the necessary charges of raising, collecting, and accounting for the same, being deducted), for the uses and purposes in this act mentioned, distinct and apart from all other monies which such commissioners respectively shall receive for the use of his Majesty, his heirs and successors; and that there shall be provided and kept in the office of the auditor of the said receipt of exchequer a book or books, in which all the monies arising from the aforesaid rates and duties, and paid into the receipt of the exchequer as aforesaid, shall be entered separate and apart from the other monies paid and payable to his Majesty, his heirs and successors, upon any account whatsoever; and the said money, so paid into the said receipt of exchequer as aforesaid, shall, together with such other rates, duties, and revenues, as shall be granted by any act or acts of this session of parliament for this purpose, be a fund for the payment of the several annuities, and all such other charges and expences, as are directed to be paid and payable, pursuant to an act of this present session of parliament, intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery.* Application thereof.

XI. And whereas by an act, made in the eighth year of the reign of his present Majesty, all foul salt, called by the several names of Grey or Scrow Salt, Salt Scale, Sand Scale, or Crustings, or other foul salt produced in the manufacturing of white salt, within the kingdom of England, dominion of Wales, and town of Berwick upon Tweed, and to be used in the manuring of land, stands charged with a duty of four pence a bushel only, for the encouragement of agriculture; and all persons are thereby restrained, under a certain penalty therein mentioned, from employing, or using or consuming such foul salt for any other purposes whatsoever than that of manuring of land: and whereas, notwithstanding the restriction in the said act, abuses are committed contrary to the intent and meaning thereof; therefore, for the better and more effectually preventing any such abuses for the future, be it enacted by the authority aforesaid, That no grey or scrow salt, salt scale, sand scale, or crustings, or other foul salt whatsoever, produced and to be produced at any of the salt works within the kingdom of England, dominion of Wales, and town of Berwick upon Tweed, from the manufacturing of such white salt as aforesaid, upon, and from and after the twenty-second day of June, one thousand seven hundred and eighty-two, shall be removed or carried away from the works where the same shall be produced, without notice first given to the officer attending such works, or who shall reside nearest thereto; and without having been first well and sufficiently mixed, in the presence of such officer, at the expence and charge of the purchaser or purchasers, or proprietor or proprietors thereof, with common chimney coal foot, in the proportion of two bushels of foot to one hundred bushels of such salt; and that if any person or persons shall presume to remove or carry away such foul salt from the said works, without having been so mixed with foot

Part of an act of 8 Geo. 3. recited.

From June 22, 1782, no grey or scrow salt, &c. produced at any salt works in England from the manufacturing of white salt, shall be removed from the said works without giving notice to a proper officer; nor without being mixed with foot, &c.

Penalty.

as aforeſaid, he, ſhe, or they ſhall, for every ſuch offence, forfeit and pay the ſum of twenty ſhillings for every buſhel of ſuch foul ſalt; one moiety thereof to his Maſteſty, his heirs and ſucceſſors, and the other moiety thereof to ſuch perſon or perſons who ſhall inform or ſue for the ſame; and to be recovered and levied in ſuch manner and form, and with ſuch power of mitigation, as any fine, forfeiture, or penalty, is or may be recovered by any law or laws of exciſe, or by action of debt, bill, plaint, or information, in any of his Maſteſty's courts of record at *Weſtmiſter*; wherein no eſſoin, protection, or privilege, wager of law, or more than one imparlance, ſhall be allowed.

Perſons ſued for executing this act, may plead the general iſſue,

XII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall, at any time or times, be ſued, moleſted, or proſecuted, for any thing by him or them done or executed in purſuance of this act, or of any claule, matter, or thing herein contained, ſuch perſon and perſons ſhall and may plead the general iſſue, and give the ſpecial matter in evidence for his and their defence; and if upon the trial a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall become nonſuited, then ſuch defendant or defendants ſhall have treble coſts awarded to him or them againſt ſuch plaintiff or plaintiffs.

and recover treble coſts.

C A P. XL.

An act for puniſhing perſons wilfully and maliciously deſtroying any woollen, ſilk, linen, or cotton goods, or any implements prepared for or uſed in the manufacture thereof; and for repealing ſo much of two acts, made in the twelfth year of King George the Firſt, and in the ſixth year of his preſent Maſteſty, as relates to the puniſhment of perſons deſtroying any woollen or ſilk manufactures, or any implements prepared for, or uſed therein.

Preamble.

WHEREAS many violences and outrages have been frequently committed by wicked and ill diſpoſed perſons, in deſtroying the manufactures of wool, ſilk, linen, and cotton, and the materials, tools, tackle, and other utenſils prepared for or uſed therein: and whereas, for the prevention of ſuch violences and outrages for the future, it is neceſſary exemplary puniſhment ſhould be inflicted upon ſuch offenders: may it therefore pleaſe your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons ſhall, by day or by night, break into any houſe or ſhop, or enter by force into any houſe or ſhop, with intent to cut or deſtroy any ſerge or other woollen goods in the loom, or any tools employed in making thereof; or ſhall wilfully and maliciously cut or deſtroy any ſuch ſerges or woollen goods in the loom, or on the rack; or ſhall burn, cut, or deſtroy, any rack on which any ſuch ſerges or other woollen goods are hanged in order to dry; or ſhall wilfully

Perſons entering by force into any houſe with intent to cut or deſtroy any woollen goods, or tools uſed in manuſacturing thereof,

Wilfully and maliciously break or destroy any tools used in the making any such ferges or other woollen goods, not having the consent of the owner so to do; every such offender, being thereof lawfully convicted, shall be guilty of felony, without benefit of clergy.

II. And be it further enacted by the authority aforesaid, That if any person or persons shall, by day or by night, break into any house or shop, or enter by force into any house or shop, with intent to cut or destroy any velvet, wrought silk, or silk mixed with any other materials, or other silk manufacture, in the loom, or any warp or shute, tools, tackle, or utensils; or shall wilfully and maliciously cut or destroy any velvet, wrought silk, or silk mixed with any other materials, or other silk manufacture, in the loom, or any warp or shute, tools, tackle, or utensils, prepared or employed in or for the making thereof; or shall wilfully and maliciously break or destroy any tools, tackle, or utensils, used in or for the weaving or making of any such velvet, wrought silk, or silks mixed with any other materials, or other silk goods or silk manufacture, not having the consent of the owner so to do; every such offender, being thereof lawfully convicted, shall be guilty of felony, without benefit of clergy.

or any silk goods, or tools, used in manufacturing thereof, shall be deemed guilty of felony.

III. And be it further enacted by the authority aforesaid, That if any person or persons shall, by day or by night, break into any house or shop, or enter by force into any house or shop, with intent to cut and destroy any linen or cotton, or linen and cotton mixed with any other materials, or other linen or cotton manufactures, in the loom, or any warp or shute, tools, tackle, and utensils; or shall wilfully and maliciously cut or destroy any linen or cotton, or linen or cotton mixed with any other materials, or other linen and cotton manufacture, in the loom, or any warp or shute, tools, tackle, and utensils, prepared for or employed in the making thereof; or shall wilfully and maliciously break and destroy any tools, tackle, or utensils, used in or for the carding, spinning, weaving, preparing, or making, in any way whatever, any such linen or cotton, or linen or cotton mixed with any other materials, or other linen and cotton goods, or linen and cotton manufactures whatsoever, not having the consent of the owner so to do; every such offender, being thereof lawfully convicted, shall be guilty of felony, without benefit of clergy.

Persons entering any house by force, with intent to cut or destroy any linen or cotton manufactures, &c. shall be deemed guilty of felony.

IV. And be it further enacted by the authority aforesaid, That so much of an act, made in the twelfth year of the reign of King George the First, intituled, *An act to prevent unlawful combinations of workmen employed in the woollen manufactures, and for better payment of their wages*, as relates to the punishment of persons who shall, by day or by night, break into any house or shop, or enter by force into any house or shop, with intent to cut or destroy any serge or other woollen goods in the loom, or any tools employed in the making thereof; or shall wilfully and maliciously cut or destroy any such ferges or woollen goods in the loom or on the rack; or shall burn, cut, or destroy, any rack on which

Part of 12 Geo. 1. c. 24, repealed.

any

any fuch ferges or other woollen goods are hanged in order to dry; or fhall wilfully and maliciously break or deftroy any tools ufed in the making any fuch ferges or other woollen goods, not having the confent of the owner fo to do; fhall be, and is hereby repealed.

Part of 6 Geo.
3 c 28, re-
pealed.

V. And be it further enacted by the authority aforefaid, That fo much of an act, made in the fixth year of the reign of his prefent Majefty, intituled, *An act to prohibit the importation of foreign wrought filks and velvets, for a limited time, and for preventing unlawful combinations of workmen employed in the filk manufacture*, as relates to the punifhment of perfons who fhall, by day or by night, break into any houfe or fhop, or enter by force into any houfe or fhop, with intent to cut or deftroy any velvet, wrought filk, or filk mixed with any other materials, or other filk manufacture, in the loom, or any warp or fhute, tools, tackle, or utensils, or fhall wilfully and maliciously cut or deftroy any velvet, wrought filk, or filk mixed with any other materials, or other filk manufacture, in the loom, or any warp or fhute, tools, tackle, or utensils, prepared or employed in or for the making thereof; or fhall wilfully and maliciously break or deftroy any tools, tackle, or utensils, ufed in or for the weaving or making any fuch velvet, wrought filks, or filks mixed with any other materials, or other filk goods, or filk manufacture, not having the confent of the owner fo to do, fhall be, and is hereby repealed.

C A P. XLI.

An act for better fecuring the fidelity of elections of members to ferve in parliament, by the 173rd and 174th acts, whereby the election of members of the faid Houfe of Commons, from giving or taking votes at public elections.

Preamble.

FOR the better fecuring the fidelity of elections of members to ferve in parliament, be it enacted by the King's moft excellent majefty, by and with the advice and confent of the Lords fpiritual and temporal, and commons, in this prefent parliament afsembled, and by the authority of the faid, That, from and after the firft day of *August*, one thoufand feven hundred and eighty two, no commissioner, collector, fuperintendent, gauger, or other officer or perfon whatsoever, concerned or employed in the charging, collecting, levying, or managing the duties of excife, or any branch or part thereof, nor any commissioner, collector, comptroller, fearcher, or other officer or perfon whatever, concerned or employed in the charging, collecting, levying, or managing the customs, or any branch or part thereof; nor any commissioner, officer, or other perfon concerned or employed in collecting, receiving, or managing, any of the duties on ftamped vellum, parchment, and paper, nor any perfon appointed by the commissioners for diftributing of ftamps; nor any commissioner, officer, or other perfon employed in collect-

From Aug. 1,
1782, no com-
missioner or
officer em-
ployed in col-
lecting or
managing the
duties of ex-
cife, cuftoms,
&c. fhall have
any vote in
the election of
members of
parliament.

For every waggon, wain, dray, car, cart, or other carriage, drawn by four, and not more than ſix horſes, or other cattle, the ſum of one ſhilling and ſixpence; and by two or three horſes, or other cattle, the ſum of one ſhilling; and by one horſe, or other beaſt, the ſum of eightpence, except higlers and bakers carts, drawn by one horſe or beaſt only:

For every higler's or baker's cart, drawn by one horſe or other beaſt only, the ſum of ſixpence:

For every horſe, mare, gelding, mule, or aſs, laden or unladen, and not drawing, the ſum of two pence:

For every foot paſſenger whatſoever, one halfpenny; and if with a wheelbarrow, or ſuch like carriage, one penny:

For every drove of oxen or neat cattle, the ſum of three ſhillings and fourpence per ſcore; and after that rate for any greater or leſs number:

For every drove of calves, hogs, ſheep, or lambs, the ſum of ſixpence per ſcore; and after that rate for any greater or leſs number.

Tolls veſted in Robert Tunſhall eſq; his heirs and aſſigns, and may be levied by diſtreſs and ſale. The driver of any carriage to paſs toll free. The proprietor may leſſen the tolls, and raiſe them again. Sale may be made of lands neceſſary to be made uſe of in building the bridge, by any bodies politick, corporate or collegiate, corporations, aggregate or ſole, ſeoffees in truſt, executors, adminiſtrators, huſbands, guardians, committees for lunaticks and ideots, and other truſtees, and they are indemnified by this act. Commiſſioners of the land tax to ſettle differences touching ſatisfaction to be made for houſes, lands, &c. Where perſons reſuſe to treat about ſale of lands, or are diſabled from treating, commiſſioners are to ſettle the damage and recompence by a jury. Jury to be ſummoned by the ſheriff. 12 to be the jury, and to be drawn as act 3 Geo. 2. directs. Witneſſes may be examined on oath. Jury to aſſeſs the damages. Commiſſioners to give judgement for the ſame. Verdict of the jury, &c. to be final. Two tranſcripts of ſaid verdicts and decrees to be ſigned and ſealed; one to be tranſmitted to Mr. Tunſhall, and the other to the clerk of the peace for the county. The ſame, or copies thereof, to be admitted as evidence, &c. Upon payment or tender of the ſum aſſeſſed, &c. the lands, &c. may be entered and made uſe of. In default of a ſufficient number of jurymen, ſtanders by, &c. to be returned. Commiſſioners may fine ſheriff, jury, bailiffs, &c. making default in the premies. Fine not to exceed 40 s. and to be paid to Mr. Tunſhall. Commiſſioners or others not to act where intereſted. Lands, &c. not to be entered on till payment, or depoſit made of the recompence, except to ſurvey and mark out the ground. Satisfaction to be made for damages. Damages omitted to be provided for, to be ſettled by a jury. On default of payment, to be levied by diſtreſs and ſale, together with coſts; or the party may have his remedy at common law. Application to be made to the commiſſioners within ſix months after damage done. Overflowing of the neighbouring lands, &c. to be guarded againſt. Meetings of commiſſioners to be within two miles of the place where the matter ſhall ariſe. Rent aſſeſſed to be paid quarterly. On default of payment, to be ſued for at common law. Deſtroying the bridge deemed a capital felony. Boatwaler anſwerable for any damage done by his boat or crew. When the paſſage of the bridge ſhall be impracticable, or become dangerous, a ferry, &c. to be provided & to be continued no longer than whilt the bridge is repairing. The bridge not rateable to any tax. Rights of the city of London on the river reſerved to them. The preſent bridge to be taken down. Proprietor to erect a temporary bridge, &c. if needful; to continue no longer than neceſſary. No perſon to carry paſſengers, &c. croſs the ſaid river for hire, except where ferries now are. Loaded waggons, &c. paſſing over the preſent bridge, or over any temporary bridge, to be ſubject to the regulations, both as to weight and breadth of wheels, of the 23 Geo. 3. c. 84. as if the ſaid bridge was a turnpike road. New bridge made liable to a debt of 3,600 l. and intereſt, due to Eliſha Biſcoe eſquire. The acts 30 and 31 Geo. 2. to be repealed on the opening the ſtone bridge. Hackney coaches, &c. plying for hire at the bridge, may be regulated by order of the

the commissioners of hackney coaches, or two justices of Middlesex, and their orders to be fixed up at the bridge. Penalty on coachmen for non-observance of such regulations, not more than 40 s. one moiety to the informer, and the other to the use of the poor of the parish of Ealing, to be levied by distress and sale of the offender's goods, and in default thereof may be committed to the house of correction, or other prison of the county, and kept to hard labour for a month. Limitation of actions against persons acting under this act, within six months after the fact, and to laid in the counties of Middlesex and Surrey. The defendant may plead the general issue, and give the special matter in evidence, and have treble costs. To be a public act.

C A P. XLIII.

An act for making a passage for carriages from Spitalfields to Bishopsgate-street, in the county of Middlesex, and for paving the same; and for appropriating to those purposes the money arisen by virtue of an act, passed in the eighteenth year of his present Majesty, for applying the sum of nine thousand pounds, to arise out of the orphans fund, for making such passage.

Act 18 Geo. 3 c. 78. recited. And that 9,000 l. had been paid by the mayor, &c. of London, by ninety bonds for securing 100 l. each, to John Spiller and John Baker, junior, with condition for paying annuities after the rate of 4 l. 10 s. per cent. per ann. which was first to be applied towards the expences of the said act, and afterwards for defraying the expences of the passage, and (after paying for the said act, the bonds and other incidental expences) the said Spiller and Baker had purchased other bonds, and were then possessed of 105 bonds, and also of 300 l. Commissioners named, and on death, or refusal to act for one year, of any commissioner, a new one to be appointed by writing under the hands of the other commissioners, on ten days notice affixed on the church door. Meetings of commissioners to be on the second Wednesday after passing the act, and may adjourn themselves as they think proper, and if at any meeting there shall not be a sufficient number of commissioners to act or to adjourn, or that they should omit to adjourn, the clerk on two days notice to appoint a meeting, and in default thereof any commissioner may. Quorum of commissioners to act not less than five. Orders and proceedings to be confirmed at the next meeting and signed by the chairman. Qualification of commissioners (not to sell ale, &c. by retail, nor to act where interested, or whilst he has any place of profit under the act, or a share in any contract) and to have in right of himself or wife in possession lands, &c. of 40 l. per ann. clear value, or 1000 l. personal estate. Penalty on acting not being qualified 50 l. to be recovered by action of debt. Commissioners may appoint clerk, treasurer, surveyor, and other officers, and allow them salaries. Officers to account, &c. Officers neglecting to account, &c. may be prosecuted. If balance be not paid, it may be levied by distress. On failure of distress, &c. the offender to be committed. Limitation of confinement to six calendar months. Penalty on officers taking more than their settled fees, salaries, &c. 100 l. to be recovered by action of debt, &c. in six months. For recovery of monies, &c. in officers hands, in case of death or bankruptcy, to be paid in preference to all other creditors, and to be paid in ten days after demand, or may be recovered by action with full costs. That Messrs. Spiller and Baker shall deliver the bonds to the commissioners. The new street to be from Crispin-street near Spitalfields church into Bishopsgate street. Houses to be taken down vested in the commissioners. Sewers to be made in the new street. The position of water pipes to be altered where necessary. Watercourses to be arched over, and the new street to be raised. Drains and sewers to be made. Bodies politic, &c. enabled to sell and convey lands, &c. If parties refuse to treat, a jury to ascertain the value and damages. The jury to be summoned by precept to the sheriff of Middlesex or London, or bailiff of the Tower liberty, as the premises may lie. Jurors may be challenged. Verdict of jury,

jury, &c. to be final. On payment of the money aſſeſſed parties to convey. On failure of making out a good title, &c. the money to be lodged in the bank. Verdicts, &c. to be regiſtered with the clerk of the peace for Middleſex, or liberty of the Tower, or clerk of the peace or arraigns of London. Purchase money may be placed in the publick funds. Perſons entitled to meſne profits to receive dividends. Unleſs purchaſe money be paid within three calendar months, verdicts not to be binding. Expences of the jury to be paid, if for a greater ſum than offered by the commiſſioners, by them, but if for leſs, by the other party, or deducted out of the money to be paid. Purchase money may be laid out in other eſtates, to be ſettled to the like uſes. That conveyances by femes-covert ſhall be valid. Mortgagees, in poſſeſſion of the premiſes, to quit the ſame on being paid their principal money with intereſt. When mortgagees reſuſe to accept their money, payment into the bank is to be made. Purchase monies, &c. to be paid out of the produce of the bonds. Tenants to quit on ſix months notice. Fines on themſelves, &c. or jury-men, for neglect or miſbehaviour, not more than 10l. to be recovered with coſts, by diſtreſs and ſale of the offender's goods, and applied to the purpoſes of the act. Act to be executed within five years. Commiſſioners to buy the whole of any premiſes, where the owner deſires it, and may diſpoſe of overplus ground. Buildings may be erected on part of the ground of the new ſtreet or places to be arched over or filled up. New houſes to be erected in an uniform line, and no porticoes, benches or bow-windows on penalty of 50l. Money may be borrowed on houſes purchaſed, and not wanted immediately to be taken down. Such mortgages may be aſſigned. The new ſtreet to be paved. Penalty on perſons not fulfilling contracts to be contained therein, and may be recovered with full coſts, to be applied for the purpoſes of the act. Ground may be hired for digging gravel or lodging materials. Penalties on perſons obſtructing commiſſioners and others in execution of their duty. For the firſt offence 20s. the ſecond 40s. and every other 3l. The parts of the new ſtreet, when finiſhed, to be under the reſpective juriſdictions to which they belong. The name of the new ſtreet to be put up. Expences of this act to be firſt paid. Actions to be brought in the name of the clerk or treaſurer. Writings to be without ſtamps. Penalties and forfeitures to be recovered by diſtreſs and ſale of the offender's goods and chattels by warrant of a juſtice of the peace, and to be applied to the purpoſes of this act. In default of diſtreſs, the party may be committed to the houſe of correction for not more than two months, nor leſs than ſeven days, if not ſooner paid. Perſons aggrieved may appeal to the quarter ſeſſions; giving ſix days notice. Diſtreſs not to be deemed unlawful for want of form. Plaintiff not to recover if tender of amends be made. Proceedings not to be quaiſhed for want of form, nor removeable by Certiorari. Limitation of actions againſt perſons acting under this act, not till 30 days notice, and within ſix months after the fact, and not after tender of amends; and the defendant may plead the general iſſue, and give the ſpecial matter in evidence, and may have treble coſts. To be a publick act. To this act is annexed a ſchedule of the houſes and buildings to be taken down, and ground to be uſed for making the opening.

C A P. XLIV.

An act for amending the pavement in, and for lighting ſome of the ſtreets, lanes, ways, and places, in the pariſhes of Saint Margaret and Saint John the Evangelist, in Weſtminſter, which are at preſent excluded from the proviſions of an act, paſſed in the eleventh year of his preſent Majeſty, (intituled, An act to amend and render more effectual ſeveral acts made relating to paving, cleaning, and lighting, the ſquares, ſtreets, lanes, and other places, within the city and liberty of Weſtminſter, and parts adjacent,) and for preventing nuiſances and annoyances in or near the ſame; and for making an opening from Orchard-ſtreet, and widening ſome part of Wood ſtreet, and of Little Peter-ſtreet.

Act 11 Geo. 3. c. 22. recited. The houfes in the ftreets, &c. exempted in the recited act are gone much more to decay fince fuch exemption; and the pavements in a ruinous ftate, &c. If power was given to amend the pavements, and light the ftreets, &c. it would be a means of raifing the value of eftates there. Commiffioners appointed for thofe purpofes, to be the veftrymen of Saint John the Evangelift, the churchwardens of Saint Margaret, and feven perfons chofen by the veftry there, to be houfeholders in fome of the ftreets, &c. to be improved with ten perfons to be named by the commiffioners at their firft meeting, and in cafe of vacancy of any of the feven for Saint Margaret, by death, non-refidence, or refusal to act, the veftry to chufe another. Difqualification, being a victualler felling ale, &c. by retail, holding place of profit under this act, or having fhare of any contract, nor (except the perfons named at the firft meeting) unlefs a veftryman of Saint John the Evangelift, or churchwarden of Saint Margaret, or an houfeholder as aforefaid. Penalty on acting not being qualified 50 l. to be recovered by action, &c. and the onus probandi to lie on the defendant. Commiffioners who are juftices may act as fuch; except where interefted, or as to making rates. Juftices may adminifter oaths. Commiffioners may bring actions in their clerk's name. Firft meeting at the veftry room of Saint John on the fecond Tuefday after paffing the act, and afterwards as they may think proper, and if a fufficient number do not meet to act, or adjourn, or omit to adjourn, the clerk may call a meeting on eight days' notice, and in default, five commiffioners may appoint a meeting in fourteen days. All orders to be made by the majority at publick meetings. Commiffioners to pay their own expences. Quorum of commiffioners appointed to be five. Commiffioners may appoint a clerk, treafurer, collectors of rates, furveyors, and other officers, and perfons to remove nuiſances, and allow them falaries. Officers to give fecurity, and to account, and pay the balance, or they may be fued. Balance may be levied by diftreſs. On failure of diftreſs, &c. offender to be committed till he gives a full account, and pays or compounds the money due; but fuch commitment not to diſcharge fureties. No perfon to be committed for more than three calendar months. Officers taking any reward other than their falaries; or being interefted in any bargain made by the commiffioners; are difqualified from being employed under this act, and to forfeit 50 l. On death of officers, or becoming infolvent, executors, &c. to account; and to pay the balance in preference to any other creditor; and may plead and give in evidence fuch payments. Commiffioners empowered to bring actions againſt executors, &c. Streets, &c. to be paved, amended and cleaned. Stratton ground, Orchard-ftreet, Duck lane, Old Pye-ftreet, New Pye ftreet, and College-ftreet, partly in the parifh of Saint Margaret and partly in the parifh of Saint John; and alfo the Great and Little Almonry, the New Way, New Tothill ftreet, Dacre-ftreet, Cooper-ftreet, and Caſtle lane, wholly in the parifh of Saint Margaret; and likewife all other ftreets at prefent excluded from the provifions of the act 11 Geo. 3. before recited. Commiffioners may bring actions for breach of contract, and recover the penalty, to be applied to the purpofes of this act. This act not to extend to Dean's Yard, nor to extend to any ftreets, &c. but thofe particularly named. Inhabitants to give notice to the furveyor when pavements want repair, which he is to view, and (if not from water pipes) the commiffioners to order the fame to be repaired by contractor in a certain time, and if not done, he is to forfeit 20 s. per day till repaired, one half to the complainant, and the other for the purpofes of this act. Lamps to be put up. Penalty on perfons injuring lamps, &c. wilfully, may be apprehended by warrant of a juſtice, or by the perfon feeing fuch offence committed without warrant, and others may aſſiſt, and to deliver the offender to a peace officer, to be dealt with according to law; and if the party ſhall be convicted of wilfully breaking, throwing down, or damaging any lamp, or extinguifhing the light, or damaging the poſts, irons, or furniture thereof, by confeſſion or information on oath, to forfeit for the firſt offence 20 s. for the fecond 20 s. and for every other 3 l. and alfo to make ſatisfaction for the damage done, which if not immediately paid, to be committed to gaol or bridewell for Weſtminſter, for not more than two months nor lefs than ten days, if not fooner paid. Satisfaction to be made

by persons negligently breaking lamps, &c. to be ascertained by a justice, and levied by distress and sale of goods. Penalty on interrupting workmen, not more than 40s. nor less than 5s. Property of lamps, &c. vested in the commissioners. Penalty on causing annoyances by casting, throwing, or laying ashes, filth, carrion, offal, blood, dust, dirt, or rubbish in any of the said streets, &c. for the first offence 5s. for the second 7s. 6d. and every other 10s. Nuisances to be removed on three days notice. Penalty on neglect 20s. per day during the continuance after. Persons removing night soil contrary to this act may be committed for not more than two calendar months, nor less than ten days, and kept to hard labour, and the commissioners may order not more than 20s. nor less than 5s. to be paid to the detector and prosecutor. Goods, and also carriages, obstructing the passage, may be seized, and secured till the offender pays all costs, and also 5s. and if not claimed in two days may be sold, and the money arising therefrom applied to the purposes of this act. Fences to be made against waste grounds in ten days after notice, or may be done by the commissioners, and the party to pay the expence, which may be recovered by action with costs. Commissioners impowered to purchase certain tenements, &c. for widening streets. If parties cannot agree, a jury to be summoned; who shall ascertain the recompence, &c. to be made to owners and occupiers. Verdict of jury, &c. to be final. Commissioners may fine the sheriff, &c. making default. Witnesses may be examined on oath. Expences of the juries and witnesses to be paid by the commissioners if the money more than they have offered, if less by the other party. Bodica politick, &c. impowered to sell. Time limited for paying purchase money, three calendar months, or the judgement, &c. to be void. If a jury is not called according to notice given, it shall not be done at any time afterwards. Power to make rates, not exceeding the yearly sum of 1s. 6d. in the pound. Rates to be allowed by two justices, and power given to levy the same by distress and sale of goods; and in default of goods, may be committed by two justices to gaol or the house of correction for two months, if the rate and costs are not sooner paid. Occupiers quitting without paying rates, may be followed. Rates may be sued for. Empty houses shall be assessed at one half, to be paid by the owner, or by the first or other occupier, who may deduct the same out of his rent, and the landlord to allow the same. Under-tenants, &c. liable to the rates. Those rates shall be recovered as others, and deducted out of rents. Publick buildings and dead walls shall be assessed at 6d. per square yard per ann. Commissioners may mitigate rates. Power to make re-assessments if the collector becomes insolvent, or embezzles the money collected. Persons paying the rates exempted from paving. Not to make void any agreement between landlord and tenant. Commissioners may borrow money at interest, or raise money by sale of annuities. Annuities at the rate of 10l. per cent. per ann. and the purchase money for any one not more than 250l. and the whole sum to be borrowed not more than 1,000l. Commissioners order to entitle the contributor to the payment of his interest and annuity; which shall be charged upon the rates. Annuities deemed indefeasible estates; not chargeable to the land tax. Securities may be assigned, toties quoties. As annuitants die, the rates to be lowered. Monies may be raised by sale of annuities, in the place of those that have ceased, for the payment of the interest of the money borrowed. Expences of this act to be paid out of the first money raised. Commissioners may compound for penalties. Penalties and forfeitures to be recovered by distress and sale of the offender's goods by warrant of two justices; and in default of goods, the party may be committed, for not more than two months nor less than ten days, if rate and costs be not paid before. Appeal may be made to the commissioners; and afterwards to the quarter session. Persons aggrieved may appeal to the quarter session; giving eight days notice. Distress not to be unlawful for want of form. Plaintiff not to recover if tender of amends made. Writings exempted from stamp-duty. Proceedings to be entered in books, which may be read in evidence. Proceedings not removeable by Certiorari. Inhabitants exempt from former laws, except the recited paving act of 11 Geo. 3. &c. Limitation of actions

tions for acting under this act, not till 21 days notice, or if amends be tendered, nor after six calendar months, and to be laid where the matter arose; and the defendant may plead the general issue, and give the special matter in evidence, and have treble costs. To be a publick act.

C A P. XLV.

An act for restraining any person concerned in any contract, commission, or agreement, made for the publick service, from being elected, or sitting and voting as a member of the house of commons.

Preamble.

After the end of this session, all persons holding contracts for the publick service, shall be incapable of being elected, or sitting in the house of commons.

FOR further securing the freedom and independence of parliament, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords (spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the end of this present session of parliament, any person who shall, directly or indirectly, himself, or by any person whatsoever in trust for him, or for his use or benefit, or on his account, undertake, execute, hold, or enjoy, in the whole or in part, any contract, agreement, or commission, made or entered into with, under, or from the commissioners of his Majesty's treasury, or of the navy or victualling office, or with the master general or board of ordnance, or with any one or more of such commissioners, or with any other person or persons whatsoever, for or on account of the publick service; or shall knowingly and willingly furnish or provide, in pursuance of any such agreement, contract, or commission, which he or they shall have made or entered into as aforesaid, any money to be remitted abroad, or any wares or merchandize to be used or employed in the service of the publick, shall be incapable of being elected, or of sitting or voting as a member of the house of commons, during the time that he shall execute, hold, or enjoy, any such contract, agreement, or commission, or any part or share thereof, or any benefit or emolument arising from the same.

Any member accepting a contract or continuing to hold any contract after the commencement of the next session, his seat shall be void.

II. And be it further enacted by the authority aforesaid, That if any person, being a member of the house of commons, shall directly or indirectly, himself, or by any other person whatsoever in trust for him, or for his use or benefit, or on his account, enter into, accept of, agree for, undertake, or execute, in the whole or in part, any such contract, agreement, or commission, as aforesaid; or if any person, being a member of the house of commons, and having already entered into any such contract, agreement, or commission, or part or share of any such contract, agreement, or commission, by himself, or by any other person whatsoever in trust for him, or for his use or benefit, or upon his account, shall, after the commencement of the next session of parliament, continue to hold, execute, or enjoy the same, or any part thereof, the seat of every such person in the house of commons shall be, and is hereby declared to be void.

Not to extend to incorporated trading companies.

III. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to any contract,

tract, agreement, or commission, made, entered into, or accepted, by any incorporated trading company in its corporate capacity, nor to any company now existing or established and consisting of more than ten persons, where such contract, agreement, or commission, shall be made, entered into, or accepted, for the general benefit of such incorporation or company.

IV. Provided also, and be it enacted, That nothing in this act contained shall extend, or be construed to extend, to any contract, agreement, or commission, made, entered into, or accepted, before the passing of this act, the term whereof will expire in the space of one year from the time of making thereof.

Not to extend to contracts already made for one year.

V. Provided also, and be it enacted, That where any contract, agreement, or commission, has been made, entered into, or accepted, with a provision that the same shall continue until a year's notice be given of the intended dissolution thereof, the same shall not disable any person from sitting and voting in parliament until one year after the said notice shall be actually given for the determination of the said contract, agreement, or commission, or till after twelve calendar months, to be computed from the time of passing this act.

Clause relative to contracts which are not to expire until a year's notice be given.

VI. Provided also, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to any person on whom, after the passing of this act, the completion of any contract, agreement, or commission, shall devolve by descent or limitation, or by marriage, or as devisee, legatee, executor, or administrator, until twelve calendar months after he shall have been in possession of the same.

Not to extend to contracts by descent, &c until after 12 months possession.

VII. Provided also, and be it enacted, That any person who is now a member of the house of commons, and holds and enjoys any such contract, agreement, or commission, as aforesaid, may be discharged from the execution thereof on giving twelve months notice to the person or persons with or from whom such contract, agreement, or commission, is made, entered into, or accepted, of his desire that the same shall cease and determine; and such contract, agreement, or commission, after the expiration of the term aforesaid, shall be null and void.

Members holding contracts may be discharged therefrom on giving 12 months notice.

VIII. Provided also, That if any person actually possessed of a patent for a new invention, or a prolongation thereof by act of parliament, and having contracted with government concerning the object of the said patent before the passing of this act, shall give notice of his intention to dissolve the said contract, the same shall be null and void from the time of giving such notice.

Clause relative to patentees for new inventions.

IX. And be it further enacted by the authority aforesaid, That if any person hereby disabled, or declared to be incapable to sit or vote in parliament, shall nevertheless be returned as a member to serve for any county, stewartry, city, borough, town, cinque port, or place, in parliament, such election and return are hereby enacted and declared to be void: and if any person, disabled and declared incapable by this act to be elected, shall, after the end of this present session of parliament, presume to

If any person hereby disqualified shall be elected, such election shall be void. Disabled persons who shall sit in the house of commons after

this ſeſſion,
ſhall forfeit
500l. for each
day.

fit or vote as a member of the houſe of commons, ſuch perſon ſo fitting or voting ſhall forfeit the ſum of five hundred pounds for every day in which he ſhall fit or vote in the ſaid houſe, to any perſon or perſons who ſhall ſue for the ſame, in any of his Maſteſty's courts at *Weſtmiſter*; and the money ſo forfeited ſhall be recovered by the perſon or perſons ſo ſuing, with full coſts of ſuit, in any of the ſaid courts, by any action of debt, bill, plaint, or information, in which no eſſoin, privilege, protection, or wager of law, or more than one imparlance, ſhall be allowed; or by ſummary complaint before the court of ſeſſion in *Scotland*; and every perſon, againſt whom any ſuch penalty or forfeiture ſhall be recovered by virtue of this act, ſhall be from thenceforth incapable of taking or holding any contract, agreement, or commiſſion, for the publick ſervice, or any ſhare thereof, or any benefit or emolument from the ſame, in any manner whatſoever.

A condition
to be interted
in all publick
contracts,
that no mem-
ber of the
houſe of com-
mons ſhall
have any ſhare
thereof.

Penalty on
contractors
who ſhall ad-
mit any mem-
ber of the
houſe of com-
mons to any
ſhare of their
contracts.

X. And be it enacted, That in every ſuch contract, agreement, or commiſſion, to be made, entered into, or accepted, as aforeſaid, there ſhall be interted an expreſs condition, that no member of the houſe of commons be admitted to any ſhare or part of ſuch contract, agreement, or commiſſion, or to any benefit to ariſe therefrom: and that in caſe any perſon or perſons who hath or have entered into or accepted, or who ſhall enter into or accept, any ſuch contract, agreement, or commiſſion, ſhall admit any member or members of the houſe of commons to any part or ſhare thereof, or to receive any benefit thereby, all and every ſuch perſon and perſons ſhall, for every ſuch offence, forfeit and pay the ſum of five hundred pounds; to be recovered, with full coſts of ſuit, in any of his Maſteſty's courts of record at *Weſtmiſter*, by any perſon or perſons who ſhall ſue for the ſame, by any action of debt, bill, plaint, or information, in which no eſſoin, privilege, protection, or wager of law, or more than one imparlance, ſhall be allowed; or by ſummary complaint before the court of ſeſſion in *Scotland*.

Limitation of
actions.

XI. Provided alſo, and be it enacted, That no perſon ſhall be liable to any forfeiture or penalty inflicted by this act, unleſs a proſecution ſhall be commenced within twelve calendar months after ſuch penalty or forfeiture ſhall be incurred.

C A P. XLVI.

An act to enable his Maſteſty to conclude a peace or truce with certain colonies in North America therein mentioned.

Preamble.

WHEREAS it is eſſential to the intereſts, welfare, and proſperity of Great Britain, and of the colonies or plantations of New Hampſhire, Maſſachuſet's Bay, Rhode Iſland, Connecticut, New York, New Jerſey, Penſylvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in North America, that peace, intercourſe, trade, and commerce, ſhould be reſtored between them: wherefore,
and

and for a full manifeſtation of the earneſt wiſh and deſire of his Ma-
jeſty and his parliament to put an end to the calamities of war, be it
enacted by the King's moſt excellent majeſty, by and with the
advice and conſent of the lords ſpiritual and temporal, and com-
mons, in this preſent parliament aſſembled, and by the autho-
rity of the ſame, That it ſhall and may be lawful for his Ma-
jeſty to treat, conſult of, agree, and conclude, with any commiſ-
ſioner or commiſſioners, named or to be named by the ſaid co-
lonies or plantations, or any of them reſpectively, or with any
body or bodies corporate or politick, or any aſſembly or aſſem-
blies, or deſcription of men, or any perſon or perſons whatſo-
ever, a peace or a truce with the ſaid colonies or plantations, or
any of them, or any part or parts thereof; any law, act or acts
of parliament, matter, or thing, to the contrary in any wiſe not-
withſtanding.

His Majeſty
impowered to
conclude a
peace or truce
with the colo-
nies in North
America;

II. And, in order to obviate any impediment, obſtacle, or delay, to
the carrying the intentions of his Majeſty and his parliament into ef-
fect, which might ariſe from any act or acts of parliament affecting
or relating to the ſaid colonies or plantations, be it further enacted
by the authority aforeſaid, That, for the concluding and eſta-
bliſhing of a peace or truce with the ſaid colonies or plantations,
or any of them, his Majeſty ſhall have full power and authority,
by virtue of this act, by his letters patent, under the great ſeal
of Great Britain, to repeal, annul, and make void, or to ſuſpend,
for any time or times, the operation and effect of any act or acts
of parliament which relate to the ſaid colonies or plantations,
or any of them, ſo far as the ſame do relate to them, or any of
them, or any part or parts thereof, or any clause, proviſion, or
matter therein contained, ſo far as ſuch clauses, proviſions, or
matters relate to the ſaid colonies or plantations, or any of them,
or any part or parts thereof.

and, for that
purpose, to
repeal, or to
ſuſpend the
operation of
any acts ſo far
as they relate
to the ſaid co-
lonies.

III. And be it further enacted, That this act, as to the ex-
erciſe of the powers and authorities hereby given to his Majeſty,
ſhall continue to be in full force until the firſt day of July, one
thouſand ſeven hundred and eighty-three.

Continuance
of this act.

C A P. XLVII.

*An act for licenſing lottery office keepers, and regulating the ſale of
lottery tickets.*

WHEREAS all lotteries, except ſuch as are permitted by act Preamble.
of parliament, are contrary to law, and puniſhable under va-
rious ſtatutes of this realm: and whereas, to prevent the abuſe of
ſuch lotteries as for the time being are eſtabliſhed by act of parliament,
it is fit that there ſhould be a permanent regulation, both of the keep-
ers of lottery offices, and of the ſale of lottery tickets: and whereas it
is become a common practice in London, and other places of Great
Britain, to have offices for ſelling tickets in lotteries eſtabliſhed in Ire-
land, by Irith acts of parliament: and whereas it is thought expedient
to allow of the ſelling ſuch Irith tickets within Great Britain, on the
terms of having the ſale of them under the ſame regulations as are
herein-

Iriſh tickets may be ſold in the ſame manner as Britiſh tickets.

herein-after appointed for tickets in lotteries eſtabliſhed by Britiſh acts of parliament : may it therefore pleaſe your Majeſty that it may be enacted ; and be it enacted by the King's moſt excellent ma- jeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſem- bled, and by the authority of the ſame, That it ſhall be lawful to buy and ſell, within all parts of *Great Britain*, (except within the univerſities of *Oxford* and *Cambridge*), any ticket or tickets in any lottery or lotteries now authoriſed or hereafter to be au- thoriſed by any *Iriſh* act of parliament, or any ſhare or ſhares of any ticket or tickets in any ſuch *Iriſh* lottery or lotteries, in the ſame manner as if ſuch *Iriſh* tickets were tickets in a lottery eſtabliſhed by an act of the parliament of *Great Britain*.

No perſon to keep a lottery- office without taking out a licence from the ſtamp- office.

II. And be it further enacted, That no perſon or perſons ſhall, publicly or privately, open, ſet up, exerciſe or keep, by himſelf or herſelf, or any other perſon or perſons, any office for buying, ſelling, or otherwiſe dealing in any tickets, or for registering the numbers of any tickets in the lottery authoriſed by any act of the preſent ſeſſion of parliament, or in any lottery which ſhall be authoriſed by any future act of parliament ; or in any lottery now eſtabliſhed, or hereafter to be eſtabliſhed, by any *Iriſh* act of parliament ; or ſhall, by writing, printing, or otherwiſe, publiſh the ſetting up, or uſing any ſuch office, without firſt taking out a licence for that purpoſe from the commiſſioners for managing the duties upon ſtamped vellum, parchment, and pa- per, for the time being, in manner herein-after mentioned.

Each licence to coſt 50l.

III. And be it further enacted, That the ſaid commiſſioners, or any three of them, are hereby impowered and required, by writing under their hands and ſeals, to grant a licence for an office for ſelling and dealing in lottery tickets, authoriſed by law, to all and every perſon and perſons applying for the ſame ; but, previously to the delivery of any ſuch licence, and before it ſhall have any effect, there ſhall be paid, over and above all other payments to which the perſon or perſons taking out ſuch licence may be reſpectively liable by any other act of parliament, whether as brokers, or otherwiſe, the ſum of fifty pounds for every ſuch licence, at the ſtamp-office, at the time ſuch licence ſhall be delivered to the perſon or perſons applying for the ſame ; and every ſuch ſum of fifty pounds ſhall be applied towards de- fraying the expences of the ſtamp-office in executing this act, and otherwiſe in manner herein-after preſcribed.

Licence to ſet forth the name of the perſon taking out the ſame, &c. and to continue in force for one year.

IV. And be it further enacted, That every ſuch licence ſhall ſet forth the true name and place of abode of the perſon or per- ſons taking out the ſame ; and alſo the particular houſe or place where ſuch buſineſs or dealing in lottery tickets ſhall be carried on ; and ſuch licence ſhall continue in force for twelve calendar months from the date thereof, and no longer ; and every perſon acting or dealing in any of the matters therein contained, after the expiration of ſuch licence, without the authority of a new licence, to be taken out in the ſame manner, ſhall be conſidered in every reſpect as an unlicenſed perſon,

V, Provided

V. Provided always, and be it further enacted, That no licence shall be granted for having any such lottery office as aforesaid within the universities of *Oxford* and *Cambridge*, or either of them; and if any licence shall be granted for any such lottery office within either of the said universities, it shall be void and of no effect; and the person or persons acting under such licence shall be liable to the same penalty as an unlicensed person.

No licence to be granted for any office in *Oxford* or *Cambridge*.

VI. And be it further enacted, That all and every person and persons who shall open, set up, or keep, any office for buying, selling, or otherwise dealing in such lottery tickets, as aforesaid, or any shares thereof, or for registering the numbers of such tickets, without the authority of such licence as aforesaid, or in any other house or place besides that named in the licence which he, she, or they, shall have, or in any other manner contrary to such licence, or to the intent and meaning of this present act, shall forfeit, for every such offence, the sum of one hundred pounds.

Persons keeping any office contrary to this act, to forfeit 100l.

VII. And be it further enacted, That all and every person and persons to be licensed under this act, shall cause the words, *Licensed to deal in Lottery Tickets*, to be written or expressed, in legible characters, upon or near the door in the front of his, her, or their office, shop, or other place for selling of tickets, to denote that such person or persons is or are a dealer or dealers in lottery tickets, and liable to take out a licence; and if any person or persons shall presume to sell or deal in such lottery tickets as aforesaid without complying with the said provision, he, she, or they, so offending, shall, for every day in which such offence shall be committed, forfeit and pay the sum of twenty pounds.

Certain words to be written on the front of each licensed office.

VIII. And be it further enacted, That if any person or persons whatsoever shall forge or counterfeit, or cause to be forged or counterfeited, or assist in forging or counterfeiting, any licence authorised to be made by this act for the purpose aforesaid, or shall fraudulently alter, or cause to be altered, or assist in altering, any such licence as shall be really granted under this act, or shall knowingly make use of any such forged, counterfeited, or altered licence, such person or persons shall, for every such offence, forfeit the sum of five hundred pounds, one moiety thereof to his Majesty, his heirs and successors, and the other moiety to him that shall prosecute or sue for the same; to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, in which no essoin, protection, wager of law, or more than one imparlance, shall be allowed; and shall also be subject to imprisonment for such term, not exceeding six months, as the court, in which the party offending shall be convicted, shall appoint.

Penalty on forging or altering any licence.

IX. Provided always, and be it further enacted, That all and every the person and persons to whom any such licence as aforesaid shall be granted, shall, at the time of receiving such licence, give security by bond to his Majesty, his heirs and successors, in the sum of one thousand pounds, with two or more sufficient

All persons taking out licences are to give bond to his Majesty.

Condition thereof.

ſufficient ſureties, to be approved of by the ſaid commiſſioners, or any three or more of them; of which bond the condition ſhall be, that if ſuch perſon or perſons ſhall well and truly conform and obſerve all the regulations and proviſions of this act, ſo far as he, ſhe, or they ſhall be concerned therein, ſuch bond ſhall be void, but otherwiſe to be and remain in full force; and the ſaid commiſſioners, or any three or more of them, are hereby authoriſed to take the ſaid bond; and if, at the end of the year for which any ſuch licence ſhall be granted, it ſhall appear, to the ſatisfaction of the ſaid commiſſioners, or any three or more of them, that the perſon or perſons entering into any ſuch bond hath or have acted in conformity to the directions and proviſions of this act, during the year for which the licence ſhall be granted, then the ſaid commiſſioners, or any three or more of them, are hereby authoriſed to cauſe ſuch bond to be delivered up and cancelled; but otherwiſe the ſaid commiſſioners ſhall (unleſs they ſhall ſee ſufficient reaſon to forbear from proſecution) cauſe every ſuch bond to be proſecuted.

Licensed perſons convicted of any offence againſt this act, ſhall forfeit their licence, &c.

X. Provided alſo, and be it further enacted, That if any perſon or perſons, to whom any ſuch licence as aforeſaid, ſhall be granted, ſhall be convicted of any offence againſt this act, whether on proſecution of the bond to be given in manner aforeſaid, or on proſecution for any penalty whatever under this act, ſuch conviction ſhall operate as a forfeiture of ſuch licence, and from thenceforth the ſame ſhall be void; and the ſaid commiſſioners may, if they ſhall think fit, reſuſe to grant to the perſon or perſons ſo convicted a licence in future.

No buſineſs to be tranſacted at any lottery-office before eight in the morning, nor after eight in the evening. Exception.

XI. And be it further enacted, That no ſuch office for lottery tickets, and ſo to be licensed as aforeſaid, ſhall be open for the tranſaction of any buſineſs, under ſuch licence, before the hour of eight of the clock in the morning, nor after the hour of eight of the clock in the evening, except on the evening of the *Saturday* preceding the drawing of any lottery; and if any ſuch office or place ſhall be wilfully kept open, in point of time, contrary to this act, the perſon or perſons licensed to keep ſuch office ſhall, for every ſuch offence, forfeit fifty pounds.

Penalty on ſelling any ſhare leſs than a ſixteenth.

XII. *And whereas the dividing of tickets in a lottery into very ſmall ſhares has been found miſchievous*; be it further enacted, That if any perſon or perſons, ſo to be licensed as aforeſaid, ſhall ſell any ſmaller ſhare or ſhares of any ticket or tickets, in any lottery, than a ſixteenth, or publiſh any propoſals for ſelling any ſmaller ſhare or ſhares, every ſuch perſon ſhall, for every offence in ſo doing, forfeit the ſum of fifty pounds; and further, the contract on every ſuch ſale of a ſmaller ſhare than a ſixteenth ſhall be void in law.

Limitation of the ſale of chances, &c.

XIII. *And, in order to prevent all adventuring with lottery tickets in any ſuch lottery as aforeſaid, other than ſuch as ſhall neceſſarily ariſe from the real and actual ſale of ſuch tickets, and of ſuch ſhares thereof, as are hereby permitted*; be it further enacted, That it ſhall not be lawful for any perſon or perſons to ſell the chance or chances of any ticket or tickets, in any ſuch lottery as aforeſaid,

for a day, or any less time than the whole time of drawing in any such lottery, or to insure for or against the drawing of any such ticket or tickets, or to receive any money or goods in consideration of any agreement to repay any sum or sums, or to deliver the same, or other goods, if any such ticket or tickets shall prove fortunate or unfortunate, or on any other chance or event relative to the drawing of any such ticket or tickets, whether as to their being drawn fortunate or unfortunate, or the time of their being drawn, or otherwise howsoever; or under any pretence, devise, form, denomination, or description whatsoever, to promise or agree to pay any sum or sums, or to deliver any goods, or to do or forbear doing any thing for the benefit of any person or persons, whether with or without consideration, on any event or contingency relative or applicable to the drawing of any such ticket or tickets, or to publish any proposal for any of the purposes aforesaid; and if any person or persons shall offend against this act in any of the matters aforesaid, he, she, or they shall, for every offence, forfeit and pay the sum of fifty pounds; and further, the contract in every such case shall be void. Penalty.

XIV. *And to prevent selling shares of tickets by any persons, except the real proprietors thereof, and selling shares of any ticket beyond the number of shares equal to the whole thereof;* be it further enacted, That it shall not be lawful for any person or persons to sell any share or shares of any ticket or tickets, in any such lottery as aforesaid, without being the owner or owners of such ticket or tickets at the time of selling such share or shares thereof, or to sell any share of any ticket beyond such number of shares as, being added together, shall be equal to the whole of such ticket; and all and every person and persons who shall offend against this act, in either of those respects, shall forfeit the sum of fifty pounds. Penalty on persons selling shares of tickets not their property.

XV. *And the more effectually to prevent abuses in the selling of shares of lottery tickets,* be it further enacted, That the said commissioners, or any three or more of them, shall, before the time herein-after appointed for the commencement of this act, establish an office, in the city of *London* or *Westminster*, for the deposit of tickets intended to be sold in shares; and every ticket in any such lottery as aforesaid, before it shall be divided into or sold in shares, shall be brought to the said office, and shall be there deposited and left with the receiver-general of his Majesty's stamp-duties, or some person or persons to be appointed by him to receive the same; and who is and are hereby authorised and required to receive the same. Commissioners to establish an office in London or Westminster, where tickets shall be deposited before they are shared.

XVI. And be it further enacted, That every agreement for the sale of a share of any such ticket or tickets so to be deposited as aforesaid, shall be expressed on a piece of written or printed paper, vellum, or parchment, and shall be impressed with some mark, device, or stamp, to be from time to time prescribed by the said commissioners, or any three or more of them, for that purpose; but the said receiver-general, or the person or persons All agreements for shares to be on stamped paper, &c.

persons fo to be appointed by him, fhall not deliver out, impreffed with any mark, device, or ftamp, more fhares for any one fuch ticket than, being added together, fhall amount to the value of a whole ticket, nor fhall fo impreff with any mark, device, or ftamp, any fmaller fhare than a fixteenth, or any fhare of a ticket other than fuch as is permitted by this act: and if fuch receiver-general, or the perfon or perfons fo to be appointed by him, fhall deliver out any fhare, other than fuch as he or they are hereby authorifed to have, impreffed with any fuch mark, device, or ftamp, he or they fhall, for every fuch offence, forfeit fifty pounds.

Receiver-general to give a receipt for tickets brought to be fhared.

XVII. And be it further enacted, That the faid receiver-general of his Majefty's ftamp-duties, or fuch perfon or perfons, fo to be appointed by him to receive tickets to be divided in fhares, fhall, upon the receipt of any fuch ticket, or any number of fuch tickets as aforefaid, give a receipt in writing for the fame; which receipt fhall exprefs the day of receiving the ticket or tickets, the lottery to which the ticket or tickets fhall belong, the number or numbers of the ticket or tickets fo received, and the name or names of the proprietor or proprietors thereof, and alfo that fuch ticket or tickets is or are received in purfuanee of this act, and doth or do accordingly remain in the hands of the faid receiver-general, or fuch perfon or perfons to be appointed by him to receive the fame, to be difpofed of as is hereby directed.

All fuch tickets to remain in his cuftody three days after they are drawn.

XVIII. And be it further enacted, That each and every fuch ticket in the faid lottery, fo to be depofited with the faid receiver-general, for the purpofe of being afterwards fold into fhares, fhall remain and continue in the cuftody and poffeffion of the faid receiver-general, or of the perfon or perfons fo to be appointed by him as aforefaid, until the expiration of three days after the drawing of fuch ticket in the faid lottery; and that, on the expiration of three days next after the drawing of fuch ticket in the faid lottery, fuch ticket fhall be returned to the owner, or owners thereof, his, her, or their agent or agents, affignee or affigns, upon producing the receipt of the faid receiver-general, or of fuch other perfon or perfons fo to be appointed by him as aforefaid, for the fame: and in cafe any fuch ticket, fo to be depofited as aforefaid, fhall remain unclaimed at the end of two years from the day of the drawing thereof, the money (if any) to arife by the fale of fuch ticket fhall be retained in the hands of the faid receiver-general for the time being, and be applied in defraying the expences of the ftamp-office in executing this act, and otherwife in fuch manner as is herein-after mentioned.

The numbers of all tickets depofited in the office to be entered in a book, with the names of the owners, and the num-

XIX. And be it further enacted, That a book or books fhall be kept by the faid receiver-general, or the perfon or perfons fo to be appointed by him as aforefaid, who fhall truly and fairly enter and register in fuch book or books, the number of every lottery ticket which fhall be depofited in the faid office, in purfuanee of this act, together with the name or names of all and every fuch perfon and perfons who fhall fo depofit fuch ticket, and

and also the number of shares into which each such ticket shall be so divided as aforesaid; and any person shall and may, from time to time, and at all seasonable times, resort to and inspect such book or books, on payment of the sum of two-pence to the said person or persons so to be appointed by the said receiver-general as aforesaid; and the money arising from such payment shall be paid and applied in defraying the expences of the stamp-office in executing this act, and otherwise in manner hereinafter specially provided.

ber of shares into which they are divided.

XX. And be it further enacted, That upon the leaving and depositing of any lottery ticket, at or in the said office, with the said receiver-general, or such person or persons so to be appointed as aforesaid, for the purposes aforesaid, the person or persons who shall so leave and deposit the same shall pay to the said receiver-general, or the person or persons so to be appointed by him as aforesaid, for each share into which every such ticket shall be divided by the said officer or officers, the sum of two-pence; and the monies arising from such fee, to be paid as aforesaid, shall be accounted for, from time to time, and shall be paid and applied towards the expence of keeping such office for the deposit of lottery tickets as aforesaid, or in defraying any other expences of the stamp-office in the execution of this act, and otherwise in such manner as is herein-after specially prescribed,

z d. for each share to be paid to the officer on depositing tickets in the office.

XXI. And be it further enacted, That if any person or persons shall at any time or times sell, or agree to sell, any share or shares of any ticket or tickets, in any such lottery as aforesaid, otherwise than by a written or printed agreement, on a piece of paper, vellum, or parchment, stamped and marked by such officer or officers, and in such manner as by this act is before prescribed, he, she, or they so offending shall, for every such offence, forfeit the sum of fifty pounds.

Penalty on selling any share of a ticket without a stamp.

XXII. And be it further enacted, That if any person or persons shall forge or counterfeit, or cause to be forged or counterfeited, or assist in forging or counterfeiting, any such receipt as is by this act required to be given, on deposit of any ticket or tickets to be divided in shares, or any stamp or mark by this act required to be put on any share or shares of any ticket or tickets; or shall alter, or cause to be altered, or assist in altering, any such receipt or stamped share, whether by adding or taking away any word, letter, or figure, in such receipt or stamped share, or shall fraudulently make use of any such forged, counterfeited, or altered receipt or stamped share; all and every such person or persons, being convicted of any of the offences before mentioned, shall be adjudged guilty of felony, and shall suffer as a felon.

Penalty on forging or altering receipts, or using the same with a fraudulent intention.

XXIII. And be it further enacted, That all fees and sums of money which shall, under this act, be received at the stamp-office, or by any officer or officers thereof, in the execution of the trust reposed in such officer or officers, and of which the application is not herein-before directed, shall be paid into the hands of the receiver-general of the said office for the time being, and he shall keep a separate and distinct account thereof; and there-

All money received under this act to be paid to the receiver-general.

Application
thereof.

out ſhall pay the expence the ſaid office ſhall be put to in executing this act, and alſo in defraying the expences attending the commiſſion made forth for managing, directing, and drawing, the lottery eſtabliſhed by an act made in this ſeſſion of parliament, (intituled, *An act for raiſing a certain ſum of money by way of annuities, and for eſtabliſhing a lottery*), in ſuch manner as by the ſaid commiſſioners, or any three or more of them, ſhall, from time to time, be appointed; but ſubject nevertheless to ſuch rules and orders, in reſpect to the ſame, as ſhall be given to the ſaid commiſſioners, from time to time, by the commiſſioners of the treaſury, or any three or more of them, or the lord high treaſurer for the time being; and as to the reſidue of ſuch ſums of money, the ſaid receiver-general ſhall pay ſuch reſidue into the receipt of the exchequer, at ſuch time, and in ſuch manner, as the duties now charged on ſtamped vellum, parchment, and paper, are ſo directed to be paid: and in the office of the auditor of the ſaid receipt of the exchequer, there ſhall be provided and kept a book or books, in which all the monies, paid into the ſaid receipt under this act, ſhall be entered ſeparate and apart from all other monies paid or payable to his Maſteſty, his heirs or ſucceſſors, upon any other account; and ſuch monies, ſo paid into the ſaid receipt of the exchequer under this act, ſhall, from time to time, be reſerved for the diſpoſition of parliament, and ſhall not be iſſued but by authority of parliament.

Penalties how
to be recover-
ed and ap-
plied.

XXIV. And be it further enacted, That all penalties which ſhall be incurred by any perſon or perſons offending againſt this act, (except where a different mode of proſecution is hereinbefore ſpecially preſcribed), ſhall be recoverable before any two or more of his Maſteſty's juſtices of the peace for the county, city, town, or other diſtrict, in which the offence ſhall be committed, upon proof of the offence, by the oath or oaths of one or more credible witneſs or witneſſes, or on confeſſion of the offender; and one moiety of every ſuch penalty ſhall belong to the informer or informers proſecuting for the ſame, and the other moiety to his Maſteſty, his heirs and ſucceſſors; and in caſe of non-payment of any ſuch penalty, it ſhall be levied by diſtreſs and ſale of the offender's goods and chattels, by warrant under the hands and ſeals of ſuch juſtices; and the overplus of the money raiſed, after deducting the penalty, and the expences of the diſtreſs and ſale, ſhall be rendered to the owner; and for want of ſufficient diſtreſs, the offender ſhall be ſent by ſuch juſtices to the houſe of correction, there to be kept to hard labour for any time not exceeding ſix months, nor leſs than three months, as ſuch juſtices ſhall think proper, unleſs ſuch penalty ſhall be ſooner paid or ſatiſfied.

Juſtices may
mitigate pe-
nalties.

XXV. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid reſpective juſtices, where they ſhall ſee cauſe to mitigate or leſſen any ſuch penalty, to do ſo accordingly, in ſuch manner as they in their diſcretion ſhall think fit, the reaſonable coſts and charges of the officers or informers being always allowed over and above ſuch mitigation,
and

and so as such mitigation do not reduce the penalty to less than one moiety thereof, over and above the said costs and charges; any thing contained in this act to the contrary notwithstanding.

XXVI. And be it further enacted, That no person shall be liable to any prosecution for any offence against this act, where- Limitation of actions.

by any pecuniary penalty shall be incurred, unless such prosecution shall be commenced within twelve months after commission of such offence; and if any suit or action shall be prosecuted in *England*, against any person or persons, for any thing done in pursuance of this act, such person or persons may plead the general issue, and give this act or the special matter in evidence, on any trial to be had thereupon, and that the same was done by authority of this act; and if a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuit, or discontinue his, her, or their action or actions after issue joined, or if, on demurrer or otherwise, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall recover treble costs, and have the like remedy for General issue. Treble costs.

XXVII. And be it further enacted, That this act shall begin to have force on the twenty-fifth day of *July*, one thousand seven hundred and eighty-two; and from and immediately after the commencement thereof, an act, made in the nineteenth year of his present Majesty, (intituled, *An act for licensing and regulating lottery office keepers*), and also so much of any other act or acts made before the present session of parliament, in respect to the regulation either of the keepers of lottery offices, or the sale of lottery tickets, shall be, and the same are hereby repealed; but such repeal shall not operate upon, or to the prejudice of, any action, suit, or prosecution, which shall be commenced or depending before the commencement of this act. Commencement of this act. 19 Geo. 3. c. 41. repealed.

C A P. XLVIII.

An act for charging a duty on persons whose property shall be insured against loss by fire.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, being desirous to raise the supply granted to your Majesty in this session of parliament by ways the least burthenfome to your Majesty's subjects, have freely and voluntarily resolved to give and grant unto your Majesty the duty herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twenty-fourth day of *June*, one thousand seven hundred and eighty-two, there shall be raised, levied, collected, and paid, throughout the king-

Preamble.

From June 24. 1782, a yearly duty of 1s. 6d. to be

paid for every
ſool. insured
from loſs by
fire.

dom of *Great Britain*, unto and for the uſe of his Maſteſty, his heirs and ſucceſſors, the yearly ſum of one ſhillling and ſixpence upon every ſum of one hundred pounds, and ſo in proportion for any greater or leſs ſum, that is or ſhall be insured by any perſon or perſons in or by any policy of insurance for insuring houſes, furniture, goods, wares, merchandizes, or other property, from loſs by fire.

Publick hoſ-
pitals not
liable.

II. Provided always, and be it further enacted by the authority aforeſaid, That nothing herein contained ſhall extend, or be construed to extend, to charge or make liable any publick hoſpital to the payment of the rate or duty to be laid by virtue of this act.

The duty to
be under the
management
of the com-
miſſioners of
ſtamps.

III. And for the better and more effectual raising, levying, collecting, and paying the ſaid duty herein-before granted, be it further enacted, That the ſame ſhall be under the government, care, and management of the commiſſioners for the time being appointed to manage the duties payable to his Maſteſty, his heirs and ſucceſſors, and charged on ſtamped vellum, parchment, and paper; and they, or the major part of them, are hereby authorized and required, from time to time, to appoint and employ ſuch officers under them for that purpoſe, and to allow ſuch ſalaries and incidental charges, as ſhall be neceſſary; and to do all other acts, matters, and things, neceſſary to be done for putting this act in execution, with relation to the ſaid duty hereby granted, in the like and in as full and ample manner as they, or the major part of them, are or is authorized to put in execution any of the laws now in being concerning ſtamped vellum, parchment, and paper.

No perſon to
keep an in-
ſurance office
without a
licence:

IV. And be it further enacted by the authority aforeſaid, That, from and after the ſaid twenty-fourth day of *June*, one thouſand ſeven hundred and eighty-two, no perſon or perſons ſhall publickly or privately insure, or open or keep any office for insuring houſes, furniture, goods, wares, merchandizes, or other property, from loſs by fire in *Great Britain*, without firſt taking out a licence for that purpoſe from the commiſſioners for managing the ſtamp-duties, in manner herein-after mentioned.

The corpora-
tions of the
Royal Ex-
change, and
London Inſu-
rance, ex-
cepted.

V. Provided always, and be it enacted, That nothing herein contained ſhall extend, or be construed to extend, to exclude the corporations of the *Royal Exchange* and *London Assurance*, (being chartered companies) from assuring houſes, furniture or goods, wares, merchandizes, or other property, from fire, in like manner as they now do, without taking out any licence for the ſame.

Commisſion-
ers are to
grant licences.

VI. And be it further enacted, That, from and immediately after the paſſing of this act, the commiſſioners for managing the ſtamp-duties for the time being, or the major part of them, are hereby authorized and required, under their hands and ſeals, to grant a licence for insuring houſes, furniture, goods, wares, merchandizes, or other property, from loſs by fire, to all and every body and bodies politick or corporate, and perſon and perſons

persons applying for the same; which said licence shall set forth the name or names and other description of the body or bodies politick or corporate, or person or persons taking out the same, and also the principal house or other place where such business of insuring houses, furniture, goods, wares, and merchandizes, or other property, from loss by fire, shall, at the time of taking ~~out~~ such licence, be principally carried on by the body or bodies politick or corporate, or person or persons taking out the same.

VII. And be it further enacted, That all and every person and persons, and body and bodies politick or corporate, who or which, from and after the said twenty-fourth day of *June*, one thousand seven hundred and eighty-two, shall insure, or set up or keep any office for insuring houses, furniture, goods, wares, merchandizes, or other property, from loss by fire, without the authority of such licence as aforesaid, or in any other house or place, except the house or place to be named in the licence under which such body or bodies politick or corporate, or other person or persons, shall act, or such other house or houses or place or places as shall be subordinate to the house or place to be named in such licence, and be kept by some person or persons employed as agent or agents to any body or bodies politick or corporate, or other person or persons having such licence as aforesaid, or in any other manner contrary to such licence, or to the intent and meaning of this act, shall forfeit, for every day in which such offence shall be committed, the sum of fifty pounds, and also double the amount of the premiums of insurance which such body or bodies politick or corporate, or other person or persons, shall receive on any such day.

Penalty on keeping an office without a licence, or in any manner contrary to this act.

VIII. And be it further enacted, That all and every person and persons, and body and bodies politick or corporate, to whom or which any such licence as aforesaid shall be granted, shall, at the time of receiving such licence, give security with sufficient sureties, to be approved of by the major part of the said commissioners of stamp duties, by bond to his Majesty, his heirs and successors, in such sum as the said commissioners may think reasonable, so as the same do not exceed the probable amount of the duty payable by such body or bodies politick or corporate, or person or persons respectively, for half a year; with a condition, that if such person or persons, or body or bodies politick or corporate, shall faithfully make out, sign, and deliver, an account of all money received for the said duty, and well and truly make payment of all such sum and sums of money as shall be due and payable to his Majesty, in pursuance of and according to the true intent and meaning of this act; and also truly and faithfully observe and perform all the directions, matters, and things herein contained, on his, her, or their behalf to be observed and performed, such bond shall be void, but otherwise to be and remain in full force.

Persons taking out licences are to give bond to his Majesty.

Condition of the bond.

IX. And be it further enacted, That every licence to be taken out under this act shall endure and have force only for one year

Licences to continue in force for one year only.

from the day of granting the fame; but if a licence fhall be granted to two or more perfons, and any or either of them fhall die before the expiration of the year, it fhall continue until fuch expiration in favour of the furvivors or furvivor of the perfons licenfed.

Clause relative to companies not incorporated.

X. *And whereas great part of the bufinefs of infurances againft lofs by fire is tranfacted at offices kept by companies not incorporate, but confifting of a great number of partners; be it therefore enacted,* That where fuch bufinefs of infuring is carried on by fuch companies not incorporate, or by a greater number of partners than four, the licence fo to be granted by the faid commissioners of ftamps, in manner aforefaid, fhall be granted to fuch two or more of any fuch company or partners, as and for the whole company or partnership, as fhall be named to the faid commissioners under authority from fuch company or partnership; and in every fuch cafe, the licence fhall continue in force until the end of one year from the day of granting the fame, notwithstanding the deaths of all the perfons to whom fuch licence fhall be granted, for the benefit of fuch company or partnership.

Office-keepers, on granting a policy of infurance, are to receive the duty payable to his Majesty, and to give a receipt for the fame.

XI. *And be it further enacted,* That all and every perfon and perfons, and body and bodies politick or corporate, to be licenfed as aforefaid, who or which, from and after the faid twenty-fourth day of *June*, one thoufand feven hundred and eighty-two, fhall grant any policy of infurance for infuring property from lofs by fire, or fhall continue to infure on any policy, fhall, by themfelves, or fuch other perfon or perfons as are, is, or fhall be employed by or under them, previously to the granting or continuing fuch policy of infurance, ask, demand, and receive, for the ufe of his Majesty, his heirs and fucceffors, of and from the perfon or perfons whose property fhall be fo infured, the fum of one fhilling and fixpence for every fum of one hundred pounds for which fuch policy fhall be fo made or continued, and fo in proportion for any lefs fum; and fhall give a receipt for the duty fo paid, as and for one year's duty on fuch policy, from the day of the date thereof; and in default of receiving fuch year's duty, in manner aforefaid, fuch perfon or perfons, or body or bodies politick or corporate, fo granting fuch policy, fhall be accountable to his Majesty, his heirs and fucceffors, for the faid year's duty, as if the fame had been actually received.

Perfons to be infured fhall pay the duty annually to the infurer,

XII. *And, in order to regulate the payment of the yearly duty impofed by this act, during the continuance of the policies of infurance within this act which fhall be granted after the faid twenty-fourth day of June, one thoufand feven hundred and eighty two; be it further enacted,* That the perfon or perfons who for the time being fhall be intitled to the benefit of any fuch policy, fhall, at the end of the year, for which fuch policy fhall be granted, or within fifteen days thereafter, and fo at the end of every fubfequent year, during the continuance of fuch policy, or within fifteen days thereafter, pay, or caufe to be paid, to the infurer or infurers in fuch policy, one year's duty, in refpect of this act,

at the rate aforesaid; and such insurer or insurers shall, on every such payment, give a printed or written receipt for the said duty, to the person or persons paying the same; and in case of any default of payment of such year's duty, within the time aforesaid, and before any loss shall be sustained, the policy of insurance, in respect of which such duty shall accrue, shall, so far as regards the insured, be void to all intents and purposes whatsoever.

or lose the benefit of their policy.

XIII. And, in respect to the payment of the aforesaid duties on such policies of insurance within this act as shall have been granted before the said twenty-fourth day of June, one thousand seven hundred and eighty-two; be it further enacted, That the payment of the said duty on every such policy shall commence and be paid in manner following; (that is to say), on every policy upon which the premium has been paid for one year, or for one year and a fraction of a year, one year's duty shall be paid on or within fifteen days after the day on which the next yearly payment of the premium shall become payable, after the said twenty-fourth day of June, one thousand seven hundred and eighty-two, and at the sametime there shall be paid a proportional part of the duty for such fractional part of a year, (not being less than the quarter of a year), as shall have elapsed from the said twenty-fourth day of June, one thousand seven hundred and eighty-two; and on every policy, upon which the premium has been paid for more years than one year, the said one year's duty, and also the said proportional part of the duty for such fraction of a year as aforesaid, shall be paid on or within fifteen days after the expiration of the year which, on the said twenty-fourth day of June, one thousand seven hundred and eighty-two, shall be current under such policy; and the said duties shall be afterwards payable yearly, during the continuance of such policies, in the same manner as is herein-before provided in respect to policies of insurance which shall be granted after the said twenty-fourth day of June, one thousand seven hundred and eighty-two; and the person or persons, who shall for the time being be intitled to the benefit of any such policy as shall have been granted before the said twenty-fourth day of June, one thousand seven hundred and eighty-two, shall accordingly pay or cause to be paid the said duty to the insurer or insurers in such policy, in manner herein-before mentioned; or in case of any default, such policy shall be void, so far as regards the insured, to all intents and purposes whatsoever.

How the duties shall be paid on policies granted before the commencement of this act.

XIV. Provided always, and be it further enacted, That in case of any policy of insurance for less time than a year, the insured person or persons shall be liable to pay only so much of the yearly duty of this act, as shall bear a proportion to the fraction or part of the year for which such policy is or shall be given.

Policies for less than a year to pay proportionally;

XV. Provided also, and be it further enacted, That in case of any policy of insurance for one or more year or years, and part of a year, the insured person or persons shall, so far as re-

as also those for a year or years, and part of a year.

gards fuch fraction or part of a year, only be liable to fo much of the faid yearly duty as fhall bear a proportion to fuch fraction or part of a year, if the infured perfon or perfons fhall, on the firft payment of the faid duty, pay as well the proportion of the duty for fuch fraction or part of a year, as the whole of the firft year's duty; except a fraction lefs than a penny, which fhall not be accounted for.

How the duty fhall be paid on new policies taken out before the expiration of the old ones.

Clause relative to infured perfons not refident in Great Britain

XVI. Provided alfo, and be it further enacted, That in cafe of taking out a new policy of infurance before the expiration of an old one, for the fake of infuring a greater or different fum, the fame proportionable abatement of the duty, which under this act fhall accrue on the new policy, fhall be made, as the infurer or infurers fhall make in refpect of the premium of infurance.

XVII. Provided alfo, and be it further enacted, That in refpect to all policies of infurance which fhall be fubfifting before the paffing of this act, if the infured perfon or perfons in any fuch policy fhall, at the time of the paffing of this act, not be in any part of *Great Britain*, all and every fuch perfon and perfons fhall have one month, to be computed from his, her, or their return, for making the firft payment of the duty which fhall become due from fuch perfon or perfons by virtue hereof; and in the mean time, and until the expiration of one month from the day of his, her, or their return, the policy and policies of all and every fuch perfons, notwithstanding any default of payment of the duty impofed by this act, fhall be in full force as if this act had not been made.

When the infurance money, on taking out a policy, is paid for feveral years, the infurer may receive the duty for the fame term, &c.

XVIII. *And whereas in the cafe of infurances againft lofs by fire for feven years, or any number of years more than one year, the perfons whose property is infured frequently pay, on taking out a policy of infurance, one entire fum as the premium for the whole term, inftead of paying an annual premium; and in fuch cafes it may be convenient to pay the duty hereby impofed for the whole term of the policy by one payment in the fame manner;* be it therefore enacted, That it fhall be lawful for all and every body and bodies politick or corporate, and perfon and perfons, being infurers againft lofs by fire, within this act, to take by one payment the duty hereby impofed for the whole of the term for which the policy hath been or fhall be granted, if the perfon or perfons whose property fhall be infured fhall fo defire; and in confideration of fuch prompt and immediate payment of fo much of the faid duty as by the terms of this act would not be payable till a future time, and in every fuch cafe, fuch infurer or infurers fhall have authority to make the fame proportional abatement of the duty as the faid infurer or infurers hath or have made, or fhall make, in confideration of receiving the premium for the whole term of infurance by one payment.

When the property of the infured fhall

XIX. *And whereas it frequently happens that the property of perfons infuring for terms of years ceafe and determine before the expiration of the term for which the faid infurance was made;* be it enacted, That where the property of a perfon, infured for a term of years, fhall terminate or ceafe before the expiration of the

the term of which fuch insurance was made, that the commiffioners of the ftamp-duties may, and they are hereby authorized and impowered, upon proof made of the truth of the faid fact, to allow and pay back to the perfon or perfons refpectively appointed to receive the faid tax as aforefaid, fo much of the faid duty or tax as fhall appear to have been paid for the unexpired term of the faid insurance.

ceafe before the expiration of his policy, the overplus money to be returned.

XX. And be it further enacted, That all and every body and bodies politick or corporate, or other perfon and perfons, which or who, under this act, fhall obtain a licence for any office of insurance, fhall, from time to time, keep a true and faithful account in writing, in which fhall be inferted the number of the policy, or instrument of insurance, which, from and after the faid twenty-fourth day of *June*, one thoufand feven hundred and eighty-two, fhall be iffued or granted by fuch body or bodies politick or corporate, or perfon or perfons, the name or names of the perfon or perfons infuring, with the place or places of his, her, or their abode, the fum infured, and the time for which the fame is infured; and alfo the day of the month, and the date of the year, in which fuch policy fhall be iffued; which faid account fhall, at all times, be open for the infpection of any perfon or perfons duly authorized, under the hands and feals of the faid commiffioners for the ftamp-duties, or the major part of them, to infpect the fame.

A true account to be kept at each insurance office of the policies granted, and to whom, &c.

XXI. And be it further enacted, That all and every body and bodies politick or corporate, and other perfon or perfons, who or which fhall have any licence under this act for an insurance office within *London* or *Westminfter*, or within five miles of either of them, whether the licence of fuch body or bodies politick or corporate, or other perfon or perfons, fhall or fhall not extend to any office out of the aforefaid limits, fhall, on the twenty-ninth day of *September*, one thoufand feven hundred and eighty-two, or within two months after, deliver to the faid commiffioners of ftamp-duties, or fome perfon or perfons authorized by them, at the head office, to receive the fame, a faithful and true account, in writing, of all fuch policies of insurance as aforefaid, which fhall have been iffued by fuch body or bodies politick or corporate, or perfon or perfons licensed to keep offices of insurance refpectively, and fhall be, on the faid twenty-ninth day of *September*, one thoufand feven hundred and eighty-two, outftanding, or be accountable for under this act, and fhall at the fame time pay all the monies which fhall have been received by them refpectively on account of the aforefaid duties, and before the faid twenty-ninth day of *September*; and from thenceforth fhall, fome time within two months after the twenty-fifth day of *December*, the twenty-fifth day of *March*, the twenty-fourth day of *June*, and the twenty-ninth day of *September*, in every year, or at fuch other times after the expiration of the faid two months as may be appointed by the major part of the faid commiffioners of the ftamp-duties, giving a previous publick notice of fourteen days or more, by advertisement in the *London*

Directions relative to perfons having licences for offices within *London* or *Westminfter*, or five miles of the fame.

Gazette, deliver, or cauſe to be delivered to the ſaid commiſſioners, or to the perſon or perſons appointed by them for the purpoſe of receiving the ſame, at the head office of the ſaid commiſſioners, true copies of the accounts herein-before directed to be kept by ſuch licenſed insurance office or offices, body or bodies politick or corporate, or ſuch other licenſed perſon or perſons, for the quarter which ſhall be completed before ſuch day of delivery, or notice, as the caſe ſhall be; and at the ſame time ſhall pay ſuch ſum and ſums which ſhall appear to be due on ſuch accounts to the receiver-general for the time being of the duties on ſtamped vellum, parchment, and paper, or to the proper officer for the time being for receiving the ſaid duties, for the uſe of his Maſteſty, his heirs and ſucceſſors, at the ſaid head office, upon pain of forfeiting for every default in not delivering true copies of ſuch account, the ſum of five hundred pounds, and for every default in payment of the monies due on ſuch accounts, double the amount of the money ſo due and payable at the time of ſuch default.

Penalty on default.

Directions relative to perſons taking out licences for offices more than five miles diſtant from London and Weſtminſter.

XXII. And be it further enacted, That all and every insurance office or offices, body and bodies politick or corporate, and other perſon and perſons, which or who ſhall, under this act, obtain any licence for an office of insurance, not within *London* or *Weſtminſter*, or within five miles of either of them, without having any office within the ſaid limits named in ſuch licence, ſhall, on the twenty-ninth day of *September*, one thouſand ſeven hundred and eighty-two, or within two months after, deliver to the head diſtributor of ſtamped vellum, parchment, and paper, in and for the county in which ſuch perſon or perſons, body or bodies politick or corporate, ſo to be licenſed, ſhall have their chief office of insurance, or to the perſon or perſons duly authorized and commiſſioned, under the hands and ſeals of three of the ſaid commiſſioners for ſtamp-duties, to receive ſuch accounts, and the money due thereon, a faithful and true account, in writing, of all ſuch policies of insurance as aforeſaid as ſhall have been iſſued by ſuch licenſed perſon or perſons, or body or bodies politick or corporate, and ſhall, on the ſaid twenty-ninth day of *September*, one thouſand ſeven hundred and eighty-two, or within two months after, be outſtanding, or be accountable for under this act; and ſhall, at the ſame time, pay all the monies which ſhall have been received by them reſpectively, on account of the aforeſaid duties, before the ſaid twenty-ninth day of *September*; and from thenceforth ſhall, ſome time within two months after the twenty-fifth day of *December*, the twenty-fifth day of *March*, the twenty-fourth day of *June*, and the twenty-ninth day of *September*, in every year, or at ſuch other times after the expiration of the ſaid two months as may be appointed by the head diſtributor, or the perſon or perſons ſo to be authorized to receive the ſaid duties, giving a previous notice of fourteen days, or more, by advertisement in the *London Gazette*, or in the newspaper, if any ſuch there be, publiſhed in and for the county where ſuch head diſtributor reſides, deliver, or cauſe

to

to be delivered, to such head distributor, or other person or persons aforesaid, true copies of the accounts herein-before directed to be kept by such licensed insurer or insurers, for the quarter which shall be completed before such day of delivery, or notice, as the case shall be; and at the same time shall pay to such head distributor, or other person or persons so to be authorized as aforesaid, all sums of money which shall appear to be due upon such accounts, under the penalty of forfeiting, for every default in not delivering such accounts, the sum of two hundred pounds, and for every default in payment of the monies due on such accounts, double the amount of the said monies due on the said account at the time of such default.

Penalty on default.

XXIII. And it is hereby enacted, That the said receiver-general of the stamp-duties at the head office, and the said head distributors of stamped vellum, parchment, and paper, or other person or persons duly appointed by the major part of the said commissioners of stamp-duties to receive the duties by this act imposed, shall make an allowance to all and every the person and persons, and body and bodies politick or corporate, so to be licensed as aforesaid respectively, for their own use and trouble in originally receiving the said duties, and making out such account as is herein-before directed, at and after the rate of one shilling in the pound, out of the monies by them regularly accounted for and paid to such receiver-general or head distributor, or such other person or persons as aforesaid, according to the directions herein-before contained.

An allowance of 1 s. in the pound to be made to the office keepers for receiving the duty, and making out the account.

XXIV. And whereas the persons employed in receiving and accounting for the duties hereby imposed, are not appointed to such offices by the crown, or by any persons authorized by the crown, but are authorized and required to receive the said duties by virtue of this act, be it enacted by the authority aforesaid, That such persons so employed shall not, on account of receiving or accounting for the said duties, be thereby disqualified from voting at any election or elections of members to serve in parliament, any law or statute to the contrary notwithstanding.

Receiving the duties granted by this act shall not disqualify from voting for members of parliament.

XXV. And be it further enacted, That all pecuniary penalties hereby imposed shall be divided and distributed in manner following; that is to say, one moiety thereof shall belong to his Majesty, his heirs and successors, and the other moiety thereof, with full costs of suit, to the person or persons who shall inform or sue for the same, in any of his Majesty's courts at Westminster, for offences committed in England, Wales, or Berwick upon Tweed; or in his Majesty's court of sessions, or court of exchequer, in Scotland, for offences committed in that part of Great Britain called Scotland, by action of debt, bill, plaint, or information, wherein no essoin, protection, privilege, wager of law, or more than one imparlance, shall be allowed.

Penalties to belong half to his Majesty, and half to the informer.

XXVI. And be it further enacted by the authority aforesaid, That the duties herein-before granted shall be paid, from time to time, into the hands of the receiver-general, for the time being, of the duties on stamped vellum, parchment, and paper,

Duties to be paid to the receiver general, and by who

him paid into
the exche-
quer.

Application
thereof.

Persons fued
for executing
this act, may
plead the ge-
neral iflue,

and recover
treble cofts.

who fhall keep a feparate and diftinct account of the duties, and pay the fame (the neceffary charges of raifing, paying, and accounting for the fame, being deducted) into the receipt of the exchequer, at fuch time, and in fuch manner, as the duties now charged on ftamped vellum, parchment, and paper, are directed to be paid: and in the office of the auditor of the faid receipt, there fhall be provided and kept a book or books, in which all the monies arifing from the faid duties, and paid into the faid receipt as aforefaid, fhall be entered feparate and apart from all other monies paid or payable to his Majefty, his heirs or fucceffors, upon any account whatfoever; and the faid moneys, fo to be paid into the faid receipt of exchequer as aforefaid, fhall be a fund for the payment of the feveral annuities, and all fuch other charges and expences, as are directed to be paid and payable purfuant to an act of this prefent feflion of parliament, intituled, *An act for raifing a certain fum of money by way of annuities, and for eftablifhing a lottery.*

XXVII. And be it further enacted, That if any perfon or perfons, bodies politick or corporate, fhall, at any time or times, be fued, molefted, or profecuted, for any thing by him or them done or executed in purfuance of this act, or of any claufe, matter, or thing, herein contained, fuch perfon or perfons, and bodies politick or corporate, fhall or may plead the general iflue, and give the fpecial matter in evidence, for his or their defence; and if, upon the trial, a verdict fhall pafs for the defendant or defendants, or the plaintiff or plaintiffs become nonfuit, then fuch defendant or defendants fhall have treble cofts awarded to him or them againft fuch plaintiff or plaintiffs.

C A P. XLIX.

An act to rectify a miftake in an act of this feflion of parliament, with refpect to preventing the importation and running of tea into this kingdom, in armed vefels having letters of marque, or other commiffions from the admiralty.

Cap. 21. of the prefent feflion recited. A miftake in the recited act rectified, by leaving out the word *not*, and making it any tea exceeding the quantity of fix pounds weight, &c.

C A P. L.

An act for further continuing an act, made in the twentieth year of the reign of his prefent Majefty, intituled, An act for appointing and enabling commiffioners to examine, take, and ftate the publick accounts of the kingdom; and to report what balances are in the hands of accountants, which may be applied to the publick fervice; and what defects there are in the prefent mode of receiving, collecting, iffuing, and accounting for publick money; and in what more expeditious and effectual, and lefs expenfive manner, the faid fervices can in future be regulated and carried on for the benefit of the publick.

20 Geo. 3. c. 54, and 21 Geo. 3. c. 45, recited. Thomas Anquith, Arthur Piggott, Richard Neave, Samuel Beachcroft, and George Drummond, eiqrs. appointed commiffioners to examine and ftate the publick accounts of the kingdom. The recited acts to continue in force after July 5, 1782, (except

(except where altered by this act) and may be executed by any three or more commissioners. No commissioner to hold a civil office of profit during pleasure under his Majesty. Any three of the commissioners to be sworn before the chancellor of the exchequer, &c. The oath.

I A. B. do swear, that, according to the best of my skill and knowledge, I will faithfully, impartially, and truly execute the several powers and trusts vested in me by an act, intituled, An act for further continuing an act, made in the twentieth year of the reign of his present Majesty, intituled, An act for appointing and enabling commissioners to examine, take, and state the publick accounts of the kingdom; and to report what balances are in the hands of accountants, which may be applied to the publick service; and what defects there are in the present mode of receiving, collecting, issuing, and accounting for publick money; and in what more expeditious and effectual, and less expensive manner, the said services can in future be regulated and carried on for the benefit of the publick, according to the tenor and purport of the said act.

The said three commissioners to administer the oath to the rest. Lords of the treasury to pay 2,000*l.* to the order of the commissioners, for the payment of clerks, messengers, and other officers, and in defraying all other necessary charges of executing the act. Executors of accountants to attend commissioners, and execute their orders. Continuance of this act one year, from the 5th of July 1782, and no longer.

C A P. LI.

An act to discharge and indemnify the united company of merchants of England trading to the East Indies, from all damage, interests, and losses, in respect to their having made default in certain payments due to the publick, on such payments being made at a future stipulated time; and to enable the said company to continue a dividend of eight pounds per centum to the proprietors of their stock for the present year.

Recital of 21 Geo. 3. c. 65. A statement hath been made up of the profit and loss of the company from March, 1781, to March, 1782, whereby it appears that the net profits of the company, in that year, did not amount to so much as a dividend upon their stock, at the rate of 8 per cent. per ann. by the sum of 22,023*l.* Commissioners of the treasury may allow the company further time for payment of 396,466*l.* 2*s.* 6*d.* due for customs, and 100,000*l.* due the 1st of December, 1781, to such time as they think fit, not exceeding the first of April, 1783; on payment whereof the company shall be indemnified. The company impowered to set apart, between March 1, 1782, and March 1, 1783, a sum sufficient to pay a dividend of 8 per cent. on the capital of 3,200,000*l.* stock, and to charge the same as a debt in the annual account to be made up to the 1st of March, 1783; and if any deficiency in the annual account, to be carried forward as a charge in the account of the succeeding year. The deficiency in last year's account to be carried forward as a charge in the account of the present year.

C A P. LII.

An act for preventing the slaughtering of cattle within the city of Edinburgh, and for removing nuisances and annoyances therefrom.

Edinburgh greatly extended by authority of 7 Geo. 3. c. 27. Slaughtering of cattle within the city prohibited. Flesh may be sold in the city. Magistrates of Edinburgh impowered to order nuisances to be removed. Commissioners appointed to settle damages, and recompence to be made to corporation of fleshers: their award to be final, and may be given in evidence. First meeting of the commissioners appointed July 1, 1782. Money assessed for damages to incapacitated persons, to be placed at interest.

terest in the bank of Scotland. Corporation of flefhers not liable to penalty for flaughtering cattle, till the commissioners have executed the act. Rights of election of the corporation of flefhers faved. Ground whereon the flaughter-houfes now ftand may be fold. Bodies poltick, &c. empowered to fell houfes and ground. Money paid for entailed eftates to be laid out in purchafes, and fettled to like ufe. Penalty on breaking and throwing down lamps; for the firft offence not more than 30s. fterling; nor under 20s. for the fecond, and, every other offence, 50s. or on non-payment may be committed to the houfe of correction for not more than three months, if forfeiture not paid in mean time. Lord provoft and magiftrates to determine offences againft the act. Rights of the city referved. Application of penalties, one moiety to the charity workhoufe of Edinburgh, the other to the informer who fhall fue, &c. To be a publick act.

C A P. LIII.

An act to repeal an act, made in the fixth year of the reign of his late majesty King George the Firft, intituled, An act for the better fecuring the dependency of the kingdom of Ireland upon the crown of Great Britain.

Preamble.

6 Geo. 1. c. 5.
recited,

and repealed.

WHEREAS *an act was paffed in the fixth year of the reign of his late majesty King George the Firft, intituled, An act for the better fecuring the dependency of the kingdom of Ireland upon the crown of Great Britain; may it please your moft excellent Majesty that it may be enacted; and be it enacted by the King's moft excellent majesty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That from and after the paffing of this act, the above-mentioned act, and the feveral matters and things therein contained, fhall be, and is and are hereby repealed.*

C A P. LIV.

An act for reftraining fir Thomas Rumbold baronet, and Peter Ferring efquire, from going out of this kingdom, for a limited time; and for difcovering their eftates and effects, and preventing the transporting or alienating the fame.

Sir Thomas Rumbold baronet, heretofore governor and prefident of Fort Saint George on the coaft of Coromandel in the Eaft Indies, and Peter Ferring efquire, lately one of the council of the fettlement aforefaid, not to go out of the kingdom before Feb. 1, 1783; and before Aug. 15, 1782, each to enter into recognizance, with two fureties, in the court of exchequer, in the penalty of 100,000 l. for fir Thomas Rumbold, 30,000 l. for his fureties, none lefs than 10,000 l. and 50,000 l. for Peter Ferring efq. and 20,000 l. for his fureties, none lefs than 5,000 l. with condition not to go or depart out of this kingdom before Feb. 1, 1783. For taking, entering and inrolling whereof only 10s. to be taken, befides the ftamp-duty. In default of entering into proper recognizances before Auguft 15, 1782, to be committed to the Fleet prifon, &c. Sir Thomas Rumbold and Peter Ferring efq. fhall, before Nov. 1, 1782, deliver into the court of exchequer two particulars of their refpective eftates, goods, &c. Barons of the exchequer to deliver one duplicate of the particulars to the fpeaker of the houfe of lords, and the other to the fpeaker of the houfe of commons. If the particulars fhall appear evafive or unfatisfactory, &c. the barons of the exchequer are to examine the perfon delivering the fame, upon interrogatories. In default of attendance upon any fummmons from
the

the ſaid barons, they may iſſue their warrant for apprehending the defaulters; who, on reſuſing to be examined, &c. ſhall be committed. Perſons detaining any part of the property of ſir Thomas Rumbold, or Peter Perring eſq. or able to give information concerning the ſame, and who ſhall reſuſe to come before the ſaid barons, &c. when lawfully ſummoned, ſhall be committed. Sir Thomas Rumbold and Peter Perring eſq. diſabled from aliening or incumbering their real eſtates, until Feb. 1, 1783; and alſo from aſſigning their perſonal eſtates, except for the ſubſiſtence of themſelves and families, or for paying their juſt debts contracted before April 29, 1782; and except perſhable goods, and ſo much of their reſpective eſtates as will indemnify their ſureties. Proviſo, that ſir Thomas Rumbold may pay or ſecure 30,000l. and Peter Perring 10,000l. as a proviſion for their children, in caſe of marriage, which is not to be affected by ſuch recognizance. This act not to diſable ſir Thomas Rumbold or Peter Perring eſq. from diſpoſing of their eſtates or effects, in caſe they ſhall die before Feb. 1, 1783, &c. If ſir Thomas Rumbold or Peter Perring eſq. ſhall, before Feb. 1, 1783, convey any of their monies or effects out of the realm, (except as is excepted), they, and their aiders therein, ſhall be puniſhed as felons, and ſuffer death. Perſons who ſhall conceal any eſtate belonging to ſir Thomas Rumbold or Peter Perring eſq. and ſhall not (if in the kingdom) diſcover the ſame before Jan. 1, 1783, (and if out of the kingdom, in ſix months next after their arrival) to forfeit treble the value, one moiety to his Maſteſty, the other to the informer, with coſts, and to ſuffer imprifonment for an whole year without bail. Perſons making diſcovery of any eſtate or effects concealed, to be allowed twenty per cent. if ſuch eſtate, &c. beyond ſeas, and 10 per cent. if in the kingdom, out of the net produce. Eaſt India company to ſend an authenticated copy of the particulars delivered into the court of exchequer, to the ſupreme court of judicature in Bengal, &c. Perſons making diſcovery of concealed eſtates or effects in India to have an allowance of 20 per cent. of the net produce, and the governor and council of Bengal and Fort Saint George and Bombay reſpectively, may ſue for and recover ſuch diſcovered eſtate, &c. in the name of the Eaſt India company. Perſons in India who ſhall ſecrete any eſtate real or perſonal after ſix months, from the time of entering the particulars upon record, to forfeit treble the value, one moiety to the Eaſt India company and the other to the informer, with coſts. Forfeited eſtates, &c. to be paid into the exchequer. To be a publick act.

C A P. LV.

An act to indemnify ſuch perſons as have omitted to qualify themſelves for offices and employments; and to indemnify juſtices of the peace, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving further time for thoſe purpoſes; and to indemnify members and officers, in cities, corporations, and borough towns, whoſe admissions have been omitted to be ſtamped according to law, or, having been ſtamped, have been loſt or miſlaid; and for allowing them time to provide admissions duly ſtamped; and to give further time to ſuch perſons as have omitted to make and file affidavits of the execution of indentures of clerks to attorneys and ſolicitors.

Perſons who have omitted to qualify themſelves agreeable to act 1 Geo. 1. ſtat. 2. c. 13. Act 13 Car. 2. ſtat. 2. c. 1. Act 25 Car. 2. c. 2. Act 30 Car. 2. ſtat. 2. c. 1. Act 8 Geo. 1. c. 6. Act 9 Geo. 2. c. 26. Act 18 Geo. 2. c. 20, and act 6 Geo. 3. c. 53. before the paſſing of this act; and who ſhall, on or before Dec. 25, 1782, qualify themſelves, ſhall be indemnified againſt forfeitures. Not to indemnify any perſon for any penalty incurred by neglecting to qualify himſelf. Not to exempt juſtices acting without legal qualification. Perſons producing appointments and admissions before Dec. 25, 1782, ſhall be confirmed, and qualified to act as clerk, officer, or member of corporations, &c. may enjoy all offices into which they have been elected; and ſhall be indemnified from all penalties and

and damages incurred by reason of omissions. Not to extend to reſtore perſons to any office avoided by judgement. Perſons who ſhall cauſe affidavits to be filed before Michaelmas term 1782, are indemnified and diſcharged from penalties. Perſons proſecuted, and hereby meant to be indemnified, may plead the general iſſue.

C A P. LVI.

An act more effectually to enable the inhabitants of the pariſh of Saint Luke, in the county of Middleſex, to purchaſe, hire, or erect, a workhouſe, within or near the ſaid pariſh, for the better reception and employment of the poor of the ſaid pariſh.

The rector, churchwardens and overſeers of the poor, for the time being, and the veſtrymen and their ſucceſſors, for ever, appointed truſtees, and ſeven to be a quorum. No contractor to be a truſtee. Truſtees to pay their own expences; may borrow 4,000l. and aſſign the rates as a ſecurity. Aſſignments not to be chargeable with any ſtamp duty. Or may raiſe the ſaid money upon annuities, at not more than 8 per cent. if the annuitant is not under forty-five, nor more than 10 per cent. if not under fifty, nor more than 12 per cent. if not under ſixty, nor any annuity for life under forty-five years. Annuities to be paid quarterly. Names of the perſons lending money, and alſo of the annuitants, to be entered in a book. Annuities to be charged on the rates; and ſhall be exempt from taxes. Securities aſſignable, and annuities may be transferred. Memorandums or extracts of aſſignments to be entered in a book. Annuitants to have an order ſigned by the truſtees, &c. authorizing the churchwardens to pay 1,000l. of the monies in their hands, on account of the poor, to the truſtees, for the purpoſes of the act. Truſtees may purchaſe or hire ground in the pariſh of Saint Luke, or in the pariſh of Saint Leonard, Shoreditch: may build a workhouſe thereon. No contract ſhall be entered into for building the workhouſe until fourteen days notice be given. Perſons in the workhouſe not to gain a ſettlement in the pariſh of Saint Leonard, Shoreditch. Truſtees may hire a workhouſe. All contracts to be entered in books. Aſſeſſments to be made; not to exceed 6d. in the pound per ann. Principal money borrowed to be paid off by the ſaving, which when it amounts to 100l. to be laid out in ſtocks, and diſpoſed of as the truſtees ſhall direct. The intereſt and principal, and annuities, are to be paid as five truſtees ſhall direct in writing. The rates ſhall be paid for houſes let out in lodgings, or ready furniſhed, by any occupier thereof. The goods of lodgers, &c. liable to be diſtrained for the rates; and the lodgers, &c. to be allowed the ſame out of their rents. Lodgers not to obtain any ſettlement by payment of the rates. Rates to be recovered as the poor's rates by act 43 Eliz. &c. In caſe of diſtreſs expences may be levied; which ſhall be ſetled by the juſtices granting the warrant. The rates are to be recovered from perſons removing out of the pariſh, by diſtreſs and ſale of goods. Diſtreſs not illegal for want of form. Plaintiff not to recover after tender of amends. Collectors, &c. to account, and pay the balance. On reſuſal they may be ſued. If balance be not paid, it may be levied by diſtreſs. On failure of diſtreſs, &c. offender may be committed, until he gives a true account, and pays or compound, and delivers up all papers, &c. Expences of this act to be firſt paid. Writings, &c. to be without ſtamps. Proceedings to be entered in a book, &c. Limitation of actions, for acting under this act not till twenty-eight days notice, nor after tender of amends, or after three months after the fact, and to be tried in Middleſex. The defendant may plead the general iſſue, and give the ſpecial matter in evidence, and have treble coſts. To be a publick act.

C. A P. LVII.

An act for building a new bridge, instead of the present ancient bridge, commonly called Lancaster Bridge, at a more convenient place over the river Loyne, near the town of Lancaster, in the county palatine of Lancaster.

Power to take down the ancient county bridge, and erect a new one opposite Skerton Crofs, and to make an highway over the waste without paying for the same. The said new bridge, &c. not exceeding in length 670 feet. Power to remove obstructions where the bridge is to be built, and to cut drains, &c. Mayor, &c. of Lancaster to make a road over the Green Area, but not to prevent William Bradshaw Bradshaw, Esq. or any other persons, from having such right of ways as they are intitled to over the said Green Area. New bridge to be a county bridge, and repaired as such. Roads, when made, declared to be publick highways: those in Skerton to be repaired by the inhabitants of Skerton. Road over the Green Area to be a publick highway, and to be repaired by the corporation of Lancaster. In indictments, sufficient to alledge generally that defendants ought to repair, &c. Power to dig, &c. materials in waste ground, gratis; and in private grounds, making satisfaction. Justices to contract with proprietors for materials, &c. and to settle the recompence: and if any persons shall be dissatisfied therewith, or shall be prevented from treating, a jury shall be summoned; who shall assess the damage and recompence on oath. Verdict of jury, &c. to be final. On payment or tender of the money assessed, justices may employ men to carry on the works: and they are indemnified for what they shall do. Expence of taking down the old bridge and building the new one to be detracted out of the county rates. Penalty on damaging the bridge. Power to sell the materials of the old bridge, &c. Power to dispose of the ancient bridge to the commissioners of the Quay of Lancaster, under act 12 Geo. 3. c. 81. who may keep the same up or not; and on twenty days notice, that the new bridge and roads are passable, the county discharged from repairing the old bridge, and the time to cease to be a publick bridge or highway. The same tolls to be taken by the corporation of Lancaster at the new bridge as they were intitled to take at the old one. The claims of compensation by Mr. Bradshaw, for damages to his mill and fishery, and by Mr. Macon, for the like to his houses in Bridge Lane, to be tried: to be brought in six months after passing the act, by actions, in any court of record at Westminster, against the treasurer of the county, to be tried at the next assizes for the counties of Lancaster or Westmoreland, at the election of the plaintiff. If no damages are found, the plaintiff to pay the costs, and for ever debarred from any recompence; but if a verdict for the plaintiff, the record and possea to be delivered to the clerk of the peace to be filed, and the costs and damages to be paid out of the county rates as soon as the old bridge is pulled down or rendered impassable (except as to Mr. Bradshaw, which is to be paid as soon as the new bridge is built). Receipts to be given. Proceedings not to be delayed by the death of any of the parties: Costs and expences to be paid out of the general stock of the county. No satisfaction to be given to Mr. Bradshaw or Mr. Macon, if actions are not commenced within a limited time. Persons aggrieved may appeal to the quarter sessions; whose determination shall be final. Saving of rights of the corporation of Lancaster, Mr. Bradshaw, or any others, further than necessary for erecting and maintaining the said bridge. Limitation of actions, for acting under this act, to be brought in three months after the fact. The defendant may plead the general issue, and give the special matter in evidence, and have treble costs. Inhabitants of Lancaster may serve on juries, &c. To be a publick act.

C A P. LVIII.

An act for the more eaſy diſcovery and effectual puniſhment of buyers and receivers of ſtolen goods.

Preamble.

WHEREAS the pernicious practices of buying and receiving ſtolen goods are become a great evil, by reaſon of the difficulty of diſcovering the perſons guilty of the ſame, and of the inſufficiency of the laws now in being for the puniſhment of ſuch offenders, in certain caſes; be it therefore enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of *Auguſt*, one thouſand ſeven hundred and eighty-two, in all caſes whatſoever where any goods or chattels (except lead, iron, copper, braſs, bell-metal, and ſolder), ſhall have been feloniously taken or ſtolen, whether the offence of the perſon or perſons ſo taking or ſtealing the ſame, ſhall amount to grand larceny, or ſome greater offence, or to petit larceny only, (except where the perſon or perſons actually committing the felony ſhall have been already convicted of grand larceny, or of ſome greater offence), every perſon who ſhall buy or receive any ſuch goods and chattels, knowing the ſame to have been ſo taken or ſtolen, ſhall be held and deemed guilty of, and may be proſecuted for, a miſdemeanor, and ſhall be puniſhed by fine, imprisonment, or whipping, as the court of quarter ſeſſions, who are hereby impowered to try ſuch offender, or as any other court before which he, ſhe, or they, ſhall be tried, ſhall think fit to inflict; although the principal felon or felons be not before convicted of the ſaid felony, and whether he, ſhe, or they, is or are amenable to juſtice or not; any law or ſtatute to the contrary notwithstanding; and in caſes where the felony actually committed ſhall amount to grand larceny, or to ſome greater offence, and where the perſon or perſons actually committing ſuch felony ſhall not be before convicted, ſuch offender or offenders ſhall be exempted from being puniſhed as acceſſary or acceſſaries, if ſuch principal felon or felons ſhall be afterwards convicted.

Juſtices may grant ſearch warrants to diſcover ſtolen goods.

Puniſhment of perſons in whole cuſtody ſey are id.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for any one juſtice of the peace, upon complaint made before him upon oath, that there is reaſon to ſuſpect that ſtolen goods are knowingly concealed in any dwelling-houſe, outhouſe, garden, yard, croft, or other place or places, by warrant under his hand and ſeal, to cauſe every ſuch dwelling-houſe, outhouſe, garden, yard, croft, or other place or places, to be ſearched in the day time; and the perſon, or perſons knowingly concealing the ſaid ſtolen goods, or any part thereof, or in whole cuſtody the ſame, or any part thereof, ſhall be found, he, ſhe, or they, being privy thereto, ſhall be deemed and held guilty of a miſdemeanor, and ſhall and may

be brought before any justice of the peace for the county, city, town corporate, riding, division, liberty, or place, and made amenable to answer the same, by like warrant of any such justice, and being thereof convicted by due course of law, shall be punishable in the manner aforesaid.

III. And be it further enacted by the authority aforesaid, That every constable, headborough, or tithing-man, in every county, city, town corporate, riding, division, liberty, or other place where there shall be officers, and every beadle within his ward, parish, or district, and every watchman, during such time only as he is on his duty, shall and may apprehend, or cause to be apprehended, all and every person and persons, who may reasonably be suspected of having, or carrying, or any ways conveying, at any time after sun-setting, and before sun-rising, any goods or chattels suspected to be stolen, and the same, together with such person or persons, as soon as conveniently may be, to convey or carry before any justice of the peace for the county, city, town corporate, riding, division, liberty, or place aforesaid, to be dealt with according to law; and such person and persons, so carrying or conveying such goods or chattels, knowing the same to have been stolen, and being thereof convicted, by due course of law, shall be deemed and held to be guilty of a misdemeanor, and, on conviction as aforesaid, shall be imprisoned for any time not exceeding six calendar months, nor less than three calendar months.

Constables, &c. may apprehend persons suspected of having any stolen goods, between sun-setting and sun-rising, &c.

IV. And be it further enacted by the authority aforesaid, That every person, to whom any goods or chattels, which have been feloniously stolen or taken, shall be brought and offered to be sold, pawned, or delivered, shall, and is hereby impowered and required (there being reasonable cause to suspect that such goods or chattels were stolen) to apprehend, secure, and carry before a justice of the peace for the county, city, town corporate, riding, division, liberty, or place, where the same goods and chattels shall be so brought or offered to be sold, pawned, or delivered, (having it in his or her power so to do), the person and persons bringing or offering the same.

Persons offering stolen goods to be pawned or sold, shall be taken before a justice.

V. And be it further enacted by the authority aforesaid, That if any person or persons, being out of custody or in custody, if under the age of fifteen years, upon any charge of felony within benefit of clergy, shall have committed any felony after the first day of *August*, one thousand seven hundred and eighty-two, and shall afterwards discover two or more persons who shall have bought or received any goods or chattels, which shall have been feloniously stolen or taken from any other person or persons, after the said first day of *August*, one thousand seven hundred and eighty-two, knowing the same to be stolen, so as two or more of the persons discovered shall be convicted of such buying or receiving, he, she, or they, so discovering, shall have and be entitled to the gracious pardon of his Majesty, his heirs and successors, for all such felonies by him or her committed at

Persons under 15 years of age, charged with felony, how entitled to his Majesty's pardon.

This act not to repeal any former law for punishing fuch offenders.

any time or times before fuch difcovery made, which pardon fhall be likewise a bar to any appeal brought for fuch felony.

VI. Provided always, That nothing herein contained fhall extend to repeal any former law now in being for the punifhment of fuch offenders; and provided alfo, that fuch offender, after having been profecuted and convicted under this act, fhall not, for the fame offence, be afterwards punifhed, or liable to be punifhed by any fuch former law.

C A P. LIX.

An act to provide that the proceedings on the bill, now depending in parliament, for inflicting certain pains and penalties of Mr Thomas Rumbold baronet, and Peter Perling efquire, for certain breaches of publick trust, and high crimes and mifdemaneors, committed by them whilft they refpectively held the offices of governor and president, counfellors, and members of the felect committee of the fettlement of Fort Saint George, on the coaft of Coromandal, in the Eaft Indies, fhall not be difcontinued by any prorogation or difsolution of the parliament.

C A P. LX.

An act to prevent the feducing of artificers or workmen employed in printing callicoës, cottons, muflins, and linens, or in making or preparing blocks, plates, or other implements ufed in that manufactory, to go to parts beyond the feas; and to prohibit the exporting to foreign parts of any fuch blocks, plates, or other implements.

Preamble.

WHEREAS the bufinefs or manufactory of printing callicoës, cottons, muflins, and linens, with wooden blocks, has been long carried on in this kingdom, greatly to the advantage of the publick, and has of late years been much improved by uſing therein engraved plates of copper or other metal, and thereby the fale of fuch goods has been confiderably increafed, and large quantities exported: and whereas, for the encouraging of fuch manufactory in this kingdom, it is neceffary that provifion ſhould be made to prevent artificers and others employed therein, or in making or repairing fuch blocks and plates, from departing, or from being feducèd to depart out of this kingdom, and to prohibit the exportation of any blocks, plates, engines, tools, or utensils, to be uſed in fuch manufactory: may it therefore please your Majeſty that it may be enacted; and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the paſſing of this act, if any perſon or perſons ſhall contract with, entice, perſuade, or endeavour to ſeducè or encourage, any artificer or workman concerned or employed, or who ſhall have worked at, or been employed in printing callicoës, cottons, muflins, or linens of any fort, or in making or preparing any blocks, plates, engines, tools, or utensils, for fuch manufactory, to go out of Great Britain,

Penalty on perſons enticing workmen employed in printing callicoës, cottons, &c. to leave the kingdom.

Britain, to any part beyond the seas, and shall be convicted thereof, upon indictment or information in the court of king's bench at *Westminster*, or by indictment at the assizes or general gaol delivery for the county or place wherein such offence shall be committed, or the offender or offenders shall live or reside, or by indictment in the court of judicary, or any of the circuit courts in *Scotland*, as the case may be; every person so convicted shall, for every artificer so contracted with, enticed, persuaded, encouraged, or seduced, or attempted so to be, forfeit and pay the sum of five hundred pounds of lawful money of *Great Britain*, and shall be committed to the common gaol for the county, place, or stewartry, wherein the offender or offenders shall be convicted, there to remain, without bail or mainprize, for the space of twelve calendar months, and until such forfeiture shall be paid; and in case of a subsequent offence of the same kind, the person or persons so again offending, shall, upon the like conviction, forfeit and pay, for every person so contracted with, enticed, persuaded, encouraged, or seduced, or attempted so to be, the sum of one thousand pounds of lawful money of *Great Britain*, and shall be committed to the common gaol as aforesaid, there to remain, without bail or mainprize, for and during the term of two years, and until such forfeiture shall be paid.

II. Provided always, That no person shall be prosecuted for any of the offences aforesaid, unless such prosecution shall be commenced within the space of twelve calendar months next after such offence shall be committed. Prosecution to be commenced within 12 months.

III. And be it further enacted, That, from and after the passing of this act, it shall not be lawful for any person or persons whomsoever to export from *Great Britain* to any parts beyond the seas, any blocks, plates, engines, tools, or utensils, commonly used in, or which are proper for the preparing, working up, or finishing of the calicoe, cotton, muslin, or linen printing manufactures, or any part or parts of such blocks, plates, engines, tools, or utensils; and if any person or persons shall put or endeavour to put on board any ship, boat, barge, lighter, or other vessel, not bound directly to some port in *Great Britain*, any such blocks, plates, engines, tools, or utensils, or part or parts thereof, every such person shall forfeit all such blocks, plates, engines, tools, or utensils, or part or parts thereof; and also shall forfeit and pay the sum of five hundred pounds of lawful money of *Great Britain*, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of session in *Scotland*, respectively, wherein no essoin, protection, or wager of law, nor more than one imparlance, shall be allowed. Penalty on exporting, or attempting to export, any blocks, plates, &c. used in the said manufactory.

IV. And be it further enacted, That, from and after the passing of this act, it shall be lawful for any officer or officers of his Majesty's customs or excise, and they are hereby required and directed, from time to time, to seize, and secure in some of his Majesty's warehouses, all such blocks, plates, engines, tools, exported. Officers empowered to seize such blocks, &c. as shall be attempted to be exported.

tools, or utenſils, or part or parts thereof, the exportation whereof is hereby prohibited, as he or they ſhall find, or be informed to be on board, or in a way of being put on board any ſhip, boat, barge, lighter, or other veſſel, not bound directly to ſome port in *Great Britain*; and all blocks, plates, engines, tools, or utenſils, or part or parts thereof, ſo ſeized, ſhall, after condemnation thereof in due courſe of law, be publickly ſold to the beſt bidder, to be uſed in *Great Britain*, and not elſewhere; and one moiety of the produce ſhall go to the uſe of his Maſteſty, his heirs and ſucceſſors, and the other moiety to the officer or officers who ſhall have ſeized and ſecured the ſame.

Penalty on captains, maſters, &c. who ſhall permit ſuch blocks, plates, &c. to be put on board their veſſels.

V. And be it further enacted, That, from and after the paſſing of this act, if the captain, maſter, mate, or other officer, of any ſhip or other veſſel in *Great Britain* or *Ireland*, ſhall willingly or knowingly permit or ſuffer any ſuch blocks, plates, engines, tools, or utenſils, or part or parts thereof, to be put on board his or their ſhip or other veſſel, or ſhall connive at the ſame being done, he or they ſhall, for every ſuch offence, forfeit and pay the ſum of one hundred pounds of lawful money of *Great Britain*, to be recovered as the penalties by this act impoſed on perſons exporting blocks, or other things, as aforeſaid, are directed to be recovered; and if the ſhip or veſſel belongs to his Maſteſty, his heirs or ſucceſſors, the captain, or other officer or officers thereof, ſo permitting, ſuffering, or conniving, ſhall, beſides forfeiting the ſaid ſum of one hundred pounds, be, and is and are hereby declared to be incapable of holding any office or commiſſion under his Maſteſty, his heirs or ſucceſſors.

Penalty on officers who ſhall take any entry outward for exporting any of the ſaid blocks, &c.

VI. And be it further enacted, That, from and after the paſſing of this act, if any officer or officers of his Maſteſty's cuſtoms ſhall take, or knowingly and willingly permit or allow, or ſuffer to be taken, any entry or entries outward, or ſign any cocket or cockets or ſufferance, for the ſhipping or exporting of any of the ſaid blocks, plates, engines, tools, or utenſils, or part or parts thereof, or knowingly ſuffer the ſame to be done, he or they ſhall forfeit and pay the ſum of one hundred pounds of lawful money of *Great Britain*, to be recovered in manner aforeſaid; and ſhall alſo forfeit and loſe his or their office or employment, and be for ever rendered incapable of holding any office or employment under his Maſteſty, his heirs or ſucceſſors.

Application of forfeitures.

VII. And be it further enacted, That one moiety of the reſpective forfeitures, by this act inflicted on offenders againſt the ſame, ſhall, when recovered, go and be applied to the uſe of his Maſteſty, his heirs and ſucceſſors; and the other moiety to the uſe of the perſon or perſons who ſhall ſue and proſecute for the ſame reſpectively.

Limitation of actions.

VIII. And be it further enacted, That if any action or ſuit ſhall be commenced againſt any perſon for what he ſhall do in purſuance of this act, ſuch action or ſuit ſhall be commenced within ſix calendar months next after the fact committed; and the perſon ſo ſued ſhall and may ſue common bail, and enter a common

common appearance, and plead the general issue not guilty, and may give this act and the special matter in evidence; and if the plaintiff or prosecutor shall become nonsuit, or suffer discontinuance, or if a verdict shall pass against him, or if, upon demurrer, judgement shall be given against him, then, and in any of the cases aforesaid, the defendant shall recover treble costs.

General issue.

Treble costs.

C A P. LXI.

An act for granting an additional duty upon white or manufactured bees wax imported into Great Britain.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, have freely and voluntarily resolved to give and grant unto your Majesty the rates and duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twenty-fifth day of *July*, one thousand seven hundred and eighty-two, over and above all subsidies of tonnage and poundage, and all other subsidies and duties whatsoever, due and payable for all white or manufactured bees wax imported into *Great Britain*, by any act or acts of parliament now in force, there shall be raised, levied, collected, and paid unto his Majesty, his heirs and successors, before landing thereof, the additional rates, duties, and imposts following, without any discount or deduction whatsoever; that is to say,

After July 25, 1782, an additional duty of 3d. per pound to be paid for all white bees wax imported into this kingdom.

For every pound weight avoirdupoise of such white or manufactured bees wax, which shall be imported into this kingdom, the sum of three-pence, and after that rate for any greater or less quantity.

II. And it is hereby further enacted by the authority aforesaid, That the said additional rate or duty herein before mentioned, shall be also subject and liable to an additional impost or duty of five pounds *per centum*, in the same manner, and under the same regulations, as the additional duty of five pounds *per centum* is granted to his Majesty by an act made in the nineteenth year of his Majesty's reign, intituled, *An act for granting to his Majesty additional duties upon the produce of the several duties under the management of the respective commissioners of the customs and excise in Great Britain.*

The new duty to be subject to an additional, per cent. agreeable to 19 Geo. 3. c. 25.

III. And it is hereby further enacted by the authority aforesaid, That the said several duties and imposts, herein-before

The new duties to be levied and re- granted, agreeable to the

same manner
as the former
duties on bees
wax;

and to be un-
der the ma-
nagement of
the commissi-
oners of the
customs.

How to be
paid into the
exchequer.

A book to be
provided in
the auditor's
office, in which
the new duty
shall be sepa-
rately entered.

Application
thereof.

A drawback
of the duties
to be allowed
on exporta-
tion.

granted, shall be raised, levied, collected, paid, and recovered, in such manner and form, and by such ways, means, and methods, and under such penalties and forfeitures, as the former duties now payable to his Majesty upon bees wax are raised, levied, collected, paid, and recovered, as fully and effectually, to all intents and purposes, as if the several clauses, powers, collec- tions, penalties and forfeitures, respectively relating thereto, were particularly repeated and again enacted in the body of this present act; and the same shall be under the management of the respective commissioners of the customs and their officers for the time being, and shall be paid into the hands of the receiver-general of the customs in *England*, and shall be by him paid into the receipt of his Majesty's exchequer in the follow- ing manner, that is to say, The said additional duty upon white and manufactured bees wax shall be paid in distinct and apart from all other monies which such receiver-general shall receive for the use of his Majesty, his heirs and successors, for the uses and purposes in this act mentioned; and the said additional im- post of five pounds *per centum* upon the duty granted by this act, shall be paid in as part of the said impost granted by the before- mentioned act of the nineteenth year of his present Majesty's reign, under the title and description of *The impost one thousand seven hundred and seventy-nine*.

IV. And be it further enacted by the authority aforesaid, That there shall be provided and kept in the office of the auditor of the said receipt of exchequer a book or books, in which all the monies arising from the said duty and impost, and paid into the said receipt as aforesaid, shall be entered separate and apart from all other monies paid and payable to his Majesty, his heirs and successors, upon any account whatsoever; and the said money, so paid into the said receipt of exchequer as aforesaid, shall, to- gether with such other rates, duties, and revenues, as shall be granted by any act or acts of this session of parliament for this purpose, and not otherwise applied, be a fund for the payment of the several annuities, and all such other charges and expences, as are directed to be paid and payable pursuant to an act of this present session of parliament, intituled, *An act for raising a cer- tain sum of money by way of annuities, and for establishing a lottery*.

V. Provided always, and it is hereby further enacted by the authority aforesaid, That upon the exportation of any white or manufactured bees wax from this kingdom to any port or place beyond the seas as merchandize, the exporter shall be paid and allowed a drawback of all the before mentioned duties paid upon the importation of such bees wax by virtue of this act; which drawback or allowance shall be made in such manner, and un- der such rules, regulations, penalties, and forfeitures, in all re- spects, as any former drawback or allowance payable out of the duties of customs upon the exportation of bees wax was, could, or might be made, before the passing of this act.

C A P. LXII.

An act to explain and amend so much of an act, made in the second year of the reign of his present Majesty, for raising and training the militia, as relates to persons paying the sum of ten pounds being liable to serve again in the militia at the expiration of three years; and also to oblige substitutes to make oath respecting their place of settlement

WHEREAS by an act, made in the second year of the reign of his present Majesty, (intituled, An act to explain, amend, and reduce into one act of parliament, the several laws now in being relating to the raising and training the militia within that part of Great Britain called England), it is enacted, That if any person, chosen by lot to serve in the militia, (not being one of the people called Quakers), shall refuse or neglect to appear and take the oath by the said act required, and serve in the militia, or provide a substitute, to be approved as therein mentioned, who shall take the said oath, and sign his consent to serve as a substitute, every such person so refusing or neglecting shall forfeit the sum of ten pounds, and at the expiration of three years be liable to serve again, or provide a substitute: and whereas it is by the said act likewise enacted, That no person having served personally, or by substitute, in the militia, shall be obliged to serve again, until by rotation it comes to his turn: and whereas very high prices are frequently given by persons chosen by lot to serve in the militia, for the hire of substitutes to serve in their stead: and whereas such high prices are attended with many inconveniences, and are, in a great measure, owing to the advantages which persons providing substitutes are intituled to in preference to those who pay the penalty of ten pounds directed by the said act to be paid by persons refusing or neglecting to serve in the militia: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That if any person chosen by lot to serve in the militia shall forfeit and pay the sum of ten pounds, to be applied to the purposes directed by the said act, such person shall not be obliged to serve in the militia, until by rotation it shall come to his turn; any law, statute, or usage, to the contrary thereof notwithstanding.

Preamble.

2 Geo 3. c. 50.
recited.Persons chosen
in the militia,
and paying
10l. shall not
be obliged to
serve until it
shall come to
their turn.

II. Provided always, and be it enacted by the authority aforesaid, That no person offering himself to serve as a substitute in the militia, shall be accepted and inrolled as such, unless he takes and subscribes the following oath; videlicet;

Substitutes to
be sworn.

I A. B. do solemnly swear, That, to the best of my knowledge and belief, the place of my settlement is the parish of *in the county of* [being the county in which the substitute then offers to serve.] The oath.

Which

Which oath any one deputy lieutenant, or one justice of the peace, are hereby required to administer at that meeting of deputy lieutenants and justices where such substitute is to be im-
rolled.

Not to extend to substitutes willing to continue after the expiration of their time of service.

LII. Provided always, and be it further enacted, That nothing in this act contained shall extend to substitutes now serving in any corps of militia, who may, when the time of their present service is expired, be willing to continue to serve in the same corps for a further time.

C A P. LXIII.

An act to repeal so much of an act, made in the nineteenth year of King George the Second, (for the more effectual disarming the Highlands in Scotland, and for the other purposes therein mentioned), as restrains the use of the Highland dress.

Preamble.

17 Geo 2 c 39.
repealed.

WHEREAS by an act, made in the nineteenth year of the reign of his late majesty King George the Second, intituled, An act for the more effectual disarming the Highlands in Scotland, and for more effectually securing the peace of the said Highlands, and for restraining the use of the Highland dress, and for further indemnifying such persons as have acted in defence of his Majesty's person and government, during the unnatural rebellion; and for indemnifying the judges and other officers of the court of judicary in Scotland, for not performing the northern circuit in May, one thousand seven hundred and forty-six, and for obliging the masters and teachers of private schools in Scotland, and chaplains, tutors, and governors of children or youth, to take the oaths to his Majesty, his heirs and successors, and to register the same; it was, among other things, enacted, That, from and after the first day of August, one thousand seven hundred and forty seven, no man or boy, within that part of Great Britain called Scotland, other than such as should be employed as officers and soldiers in his Majesty's forces, should, on any pretence whatsoever, wear or put on the clothes, commonly called Highland Clothes; (that is to say), The plaid, philebeg or little kilt, trowse, shoulder belts, or any part whatsoever of what peculiarly belongs to the Highland garb, and that no tartan, or party-coloured plaid or stuff, should be used for great coats or for upper coats, under the penalties therein mentioned; and the time appointed for laying aside the said Highland dress was, in certain cases therein mentioned, further prolonged by two several acts, one made in the twentieth, and the other in the twenty first year of the reign of his said late majesty King George the Second: and whereas it is judged expedient that so much of the acts above mentioned as restrains the use of the Highland dress should be repealed: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of the acts above mentioned, or any other act or acts

So much of the recited 19, or any other acts, as restrains the use

of

of parliament, as restrains the use of the *Highland* dress, be, and the same are hereby repealed. of the high-land dress, repealed.

C A P. LXIV.

An Act for the amending and rendering more effectual the laws in being relative to houses of correction.

WH^{EREAS} by an act, made in the seventh year of the reign of his late majesty King James the First, for the due execution of divers laws and statutes theretofore made against rogues, vagabonds, and sturdy beggars, and other lewd and idle persons, houses of correction are directed to be provided in every county, and furnished with all necessary mills and other implements to set the rogues, vagabonds and sturdy beggars, and other idle and disorderly persons, to work, at the expence of every such county, by order of the justices of the peace at their general quarter sessions, who are also to appoint a governor or master of every such house of correction, with power to set the said persons on work: and whereas by an act made in the nineteenth year of the reign of his late majesty King George the Second, and 17 Geo. 2. to amend, and make more effectual, the laws relating to rogues, vagabonds, and other idle and disorderly persons, and to the houses of correction, the justices of the peace are authorised, upon presentment of the grand jury at the assizes, that the house of correction is not sufficient or convenient, by order, at their general quarter sessions of the peace, to enlarge, or buy, or hire a more convenient house, or to purchase land for such buildings, and for a convenient outlet, and to erect such houses, and to raise upon the county such sums of money as shall be necessary for such purposes: and whereas, by many other acts of parliament, persons are directed to be sent by warrants from justices of the peace to the houses of correction, there to be kept to hard labour for a limited time: and whereas in many counties the said houses of correction are insufficient in number, or deficient in building, and the apartments in them are very ill accommodated to the purposes for which they were intended; by means whereof, and from a want of due order, employment, and discipline in such houses of correction, the persons sent thither for correction and reformation frequently grow more dissolute and abandoned during their continuance in such houses: for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and content of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the justices of the peace in every county, riding, division, city, liberty, and precinct, within *England* and *Wales*, at their respective quarter sessions of the peace, to be held next after *Michaelmas* from the time of passing this act, shall, and they are hereby required to nominate one or more justice or justices of the peace, within their respective jurisdictions, divisions, or districts, whom they shall think most proper, to examine and inspect the several houses of correction within their respective jurisdictions; and the justice or justices, so to be nominated, shall are hereby required

Preamble.

Recital of an act 7 Jac. 1. c. 4.

and 17 Geo. 2. c. 3.

Justices, at their quarter sessions, to nominate a justice in each district to examine the houses of correction.

required carefully and diligently to inspect the same, with all convenient speed, and to report his or their opinion to the justices of their respective jurisdictions, at the *Michaelmas* quarter sessions then next following, as to the state and condition thereof, and the increase of number, or additions or alterations which they may judge necessary to make them more convenient and useful, having regard to the classing of the several persons who shall be kept there, according to the nature of their crimes and punishments, and to the providing proper places for the employment of such persons who are committed to hard labour, and to the keeping every part of such prisons clean and wholesome; and the said justice or justices, so to be nominated, is and are hereby required to employ proper and skilful persons to make plans and estimates of new buildings, or the additions or alterations which he or they shall think necessary in the present buildings to make them answer the several purposes of this act; which plans, together with the report of the said justice or justices, shall be laid before the court at the said *Michaelmas* quarter sessions; or if, from any difficulties or accidents, such report shall not happen to be made at that sessions, then, and in that case, the same shall be made at or before the *Epiphany* quarter sessions then next following; which court is hereby authorised and required to consider the same, and if they approve such plans, they may adjourn the quarter sessions to a further day for receiving proposals from persons inclined to undertake such work, of which due notice shall be published, and then to contract with such persons whom they shall think most proper to do the same; or if they disapprove such plans and estimates, to direct such others to be made as they shall think fit, and adjourn their quarter sessions to some further day, to receive such new plans and estimates, and also proposals from persons inclined to undertake the work; and the justices, in settling and adjusting such plans, are hereby required to provide separate apartments for all persons committed upon charges of felony, or convicted of any theft or larceny, and committed to the house of correction for punishment by hard labour, under or by virtue of the laws in being, in order to prevent any communication between them and the other prisoners; and also proper apartments covered or open, as shall be found most convenient for employing the several persons who are to be kept to hard labour; and they are also to provide separate apartments, in each division of the said house of correction, for the women who shall be committed thither.

II. And be it enacted, That the justices of the peace, at their general quarter sessions, shall, and they are hereby empowered, from time to time, upon any report to them made as aforesaid, to make such order thereupon as to them shall seem just, and the nature of the case may require.

III. And be it further enacted, That as soon as such buildings shall be made, or altered and completed, according to the directions aforesaid, the justices of the peace, at their general quarter sessions, shall order them to be fitted up and furnished in such manner

The justices so nominated to make a report, &c. to the next *Michaelmas* quarter sessions.

Separate apartments to be provided for persons committed for felony, &c.

Justices, at their general quarter sessions, to make such orders as they shall think proper. Buildings to be furnished, and provided with mills, looms, &c.

manner as to them shall seem fit; and shall also provide such mills, looms, utensils, and implements, as they shall judge proper for employing the several persons who shall be committed to such houses of correction for hard labour: and the said justices shall, at every general quarter sessions of the peace, call upon the keeper of such house of correction to produce to them in writing a list of the several persons then in custody, with a description of the offence or offences, and the time for which every such person was committed, distinguishing particularly those who are directed by the warrant of commitment to be kept to hard labour, and also distinguishing the age and sex of every such person committed to hard labour, and in what trade, manufacture, or business, every such person hath been employed, and what he or she hath been most accustomed to, and is best qualified for, and how each person has behaved during his or her confinement, according to the best of his information and observation; which list the keeper of every such house of correction is hereby directed to make out, and deliver to the chairman of such court of quarter sessions, as soon as such court shall be assembled; and the court shall, before the end of that session, give such directions for the future employment of the said several prisoners as to them shall seem meet; and the justices shall, at their general quarter sessions of the peace, from time to time, order and direct a sufficient quantity of materials for manufactures to be provided for the use and employment of the several persons who shall be committed to such houses of correction for hard labour, of such kinds as they in their discretion shall think most proper; and shall employ some fit person to be the keeper of such house of correction, and may appoint a temporary assistant or assistants to instruct such prisoners in any business or branch of manufacture which the justices shall think most proper to be set on foot and undertaken there.

Keepers of houses of correction to deliver to the quarter sessions lists of the persons in their respective custody.

IV. And be it further enacted, That the rules, orders, and regulations, specified and contained in the schedule hereunto annexed, for the better rule and government of the persons to be committed to the said houses of correction, shall be duly observed and enforced at every such house of correction, subject nevertheless to such additions as shall from time to time be made by the justices of the peace for the county, riding, division, city, town, or place, wherein such house of correction shall be situate, at their quarter sessions which shall be held next after *Midsummer* or *Michaelmas*, and which they are hereby authorised to make at their discretion; provided that such additions shall not be contradictory to the rules, orders, and regulations established by this act: and, for the purpose of having them more generally known, and more strictly attended to, the governors or keepers of every such house of correction shall, and they are hereby required to cause the same to be printed in plain legible characters, and fixed up in some conspicuous part of every such prison.

Rules and orders contained in the schedule to be observed in the houses of correction.

V. And, in order to defray the expences of the several matters and things

Expences of maintaining the prisoners in the houſes of correction, &c how to be defrayed.

Any juſtice may preſent the want of houſes of correction to the quarter ſeſſions.

All priſoners in ſuch houſes to be employed by the governor.

No governor, or officer under him, to ſell wine &c. or any article uſed in the houſe.

*things herein-before directed to be done reſpecting houſes of correction, and the ſupport and maintenance of priſoners confined there, and other expenſes neceſſary to the execution of this act, not herein particularly provided for, be it further enacted, That the juſtices of the peace at their general quarter ſeſſions, may and ſhall aſſeſs ſuch ſums of money, as ſhall be neceſſary for all or any of theſe purpoſes, to be raiſed in the ſame manner as rates are directed to be raiſed by an act, made in the twelfth year of the reign of his late majeſty King George the Second, intituled, *An act for the more eay aſſeſſing, collecting, and levying of county rates.**

VI. And be it further enacted, That, from and after the paſſing of this act, the want of houſes of correction, or the inſufficiency thereof, may be preſented at the court of quarter ſeſſions by a juſtice of the peace acting for ſuch diſtrict or diſtrict, on his own view or knowledge thereof, as well as by the grand jury, purſuant to the directions of the ſaid act of the ſeventeenth year of the reign of his late Majeſty; which preſentment by the juſtice ſhall be proceeded upon in the ſame manner as if it had been made by the grand jury.

VII. And be it further enacted, That it ſhall and may be lawful for the governor or keeper of every houſe of correction, and he is hereby directed to employ all ſuch perſons as ſhall be priſoners therein, and kept and maintained at the expence of the county, diſtrict, or diſtrict, wherein ſuch houſe of correction is ſituate, in ſome work or labour which is not ſevere, although ſuch priſoner was not, by the warrant of his commiſſioner, ordered to be kept to labour; and every ſuch governor or keeper ſhall enter a ſeparate account of the work done by every perſon under that deſcription, and ſhall account with and pay to him or her one half of the nett profits, which he or ſhe ſhall have earned, at the time of his or her diſcharge, and not before.

VIII. And be it further enacted, That no perſon or perſons who ſhall be governor or keeper of any houſe of correction, or who ſhall have any office or employment, as aſſiſtant, or otherwiſe under ſuch governor or keeper of ſuch houſe of correction, ſhall ſell, or be capable of being licensed to ſell, or have any benefit or advantage whatſoever, directly or indirectly, from the ſale of any wine, ale, beer, ſpirituſous or other liquors, or any other article, matter, or thing, uſed in ſuch houſe of correction, or by any perſon or perſons confined therein, during the time of ſuch employment; and every perſon offending therein ſhall, on complaint made upon oath, and conviction for the ſaid offence, before a magiſtrate having juſdiction there, forfeit the ſum of ten pounds for every ſuch offence, and ſhall be diſmiſſed from his employment as governor or keeper, or as aſſiſtant in ſuch houſe of correction, by order of the juſtices at their next general quarter ſeſſions of the peace, on proof being made upon oath before them of the ſaid offence; and that no wine, ale, ſpirituſous or other liquor, ſhall be brought into the houſe of correction to be drank there, unleſs for a medical purpoſe, by a

written

written direction, under the hand of the apothecary or nanner usually attending such house of correction; and that the directions given by the said last-mentioned act for the inspection and controul by the justices over the master or keeper of every such house of correction, shall be strictly adhered to and enforced, and every such governor and keeper punished for his neglect of duty or misbehaviour, according to the directions of the said act.

IX. And be it further enacted, That the justices of the peace, in their respective quarter sessions, shall fix a reasonable salary for the governor or keeper of the house of correction, and may moreover allow him some proportion of the profits earned by the prisoners.

X. And be it further enacted, That, from and after the passing of this act, no woman shall be capable of being appointed keeper of any house of correction.

XI. And be it further enacted, That the governor of every house of correction shall have power to put handcuffs or fetters upon any prisoner who shall behave in a refractory manner, or shew a disposition to break out of prison; but such governor shall give notice thereof to one of the visiting justices, within forty-eight hours after the prisoner shall be so fettered; and he shall not continue such fettering longer than six days, without obtaining an order in writing from one of the visiting justices.

XII. And be it further enacted, That the justices of the peace, at their general quarter sessions, may, if they think fit, appoint a minister of the church of *England*, residing in or near the place where every such house of correction shall be situate, to perform divine service there every *Sunday*, and may appoint such salary for his trouble as they shall think fit, not exceeding twenty pounds *per annum*, to be paid by the treasurer of the county, riding, division, or place, where such house shall be situate, out of the county rates, or other publick money to be collected therein; but such salary to be diminished, at any future quarter sessions, if the justices shall think fit.

XIII. And be it further enacted, That all penalties inflicted by this act shall, in default of payment, after due summons and demand made, be levied by distress and sale of the offender's goods and chattels, by virtue of a warrant under the hand and seal of any justice of the peace having jurisdiction where such offender shall dwell, rendering to the said offender the overplus, (if any), after the charges of such distress and sale shall be deducted; and in case sufficient distress shall not be found, then, and in every such case, it shall and may be lawful to and for any such justice of the peace to commit such offender to the common gaol or house of correction, there to remain, without bail or mainprize, for any space not exceeding six calendar months, nor less than one calendar month; and that every such penalty and forfeiture shall be paid to the treasurer of the county, riding, division, or district, where such house of correction shall be situate, in aid of the common stock, out of which the expences

expences attending the execution of the feveral purpofes of this act are to be paid as aforefaid.

Publick act.

XIV. And be it further enacted, That this act ſhall be deemed, adjudged, and taken to be a publick act; and ſhall be judicially taken notice of as ſuch, by all judges, juſtices, and others, without the ſame being ſpecially pleaded.

Rules, orders, and regulations, to be obſerved and enforced at every houſe of correction provided and eſtabliſhed, or to be provided and eſtabliſhed, under the authority of the acts of the ſeventh year of the reign of his late majeſty King James the Firſt, the ſeventeenth of King George the Second, and the twenty-second of King George the Third.

I. That the ſeveral perſons who ſhall be committed to the houſe of correction to be kept to hard labour, ſhall be employed (unleſs prevented by ill health) every day, during their confinement, (except *Sundays, Chriſtmas-day, and Good Friday*) for ſo many hours as the day-light in the different ſeaſons of the year will admit, not exceeding twelve hours, being allowed thereout to reſt half an hour at breakfast, an hour at dinner, and half an hour at ſupper, and that the intervals ſhall be noticed by the ringing of a bell.

II. That the governor of each houſe of correction ſhall adapt the various employments, which ſhall be directed by the juſtices at their quarter ſeſſions, to each perſon in ſuch manner as ſhall be beſt ſuited to his or her ſtrength and ability, regard being had to age and ſex.

III. That the males and females ſhall be employed, and ſhall alſo eat and be lodged, in ſeparate apartments, and ſhall have no intercourſe or communication with each other.

IV. That every perſon ſo committed ſhall be ſuſtained with bread, and any coarſe but wholeſome food, and water; but perſons under the care of the phyſician, ſurgeon, or apothecary, ſhall be ſuſtained with ſuch food and liquor as he ſhall direct.

V. That the governor, and ſuch other perſons (if any) as ſhall be employed by the juſtices to aſſiſt the governor, ſhall be very watchful and attentive in ſeeing that the perſons ſo committed are conſtantly employed during the hours of work; and if any perſon ſhall be found remiſs or negligent in performing what is required to be done by ſuch perſon to the beſt of his or her power and ability, or ſhall wilfully waſte, ſpoil, or damage the goods committed to his or her care, the governor ſhall puniſh every ſuch perſon in the manner hereafter directed.

VI. That if any perſon ſo committed ſhall reſuſe to obey the orders given by the governor, or ſhall be guilty of profane curſing or ſwearing; or of any indecent behaviour or expreſſion, or of any aſſault, quarrel, or abuſive words, to or with any other perſon;

Person; he or she shall be punished for the same in the manner hereafter directed.

VII. That the governor shall have power to punish the several offenders for the offences herein-before described, by closer confinement; and shall enter in a book, to be kept by him for the inspection of the justices at the quarter sessions, and the visiting justice or justices, the name of every person who shall be so punished by him, expressing the offence, and the duration of the punishment inflicted.

C A P. LXV.

An act to enable the most noble Henry duke of Newcastle, his heirs, executors, or administrators, to open a street from the Strand, at or near the east end of the New Church, to the south end of Stanhope Street in the parish of Saint Clement Danes, within the city and liberty of Westminster; and to make a more commodious communication between the north end of Stanhope Street aforesaid, and Wyde Street in the parish of Saint Giles in the Fields, in the county of Middlesex.

The duke of Newcastle impowered to make a new street from the east end of the New Church to the south end of Stanhope Street. Commissioners appointed to set out the new street. Commissioners to hold their meetings at the Peacock Inn in Haughton Street, or at any place in the city of Westminster, on the fourth Tuesday after passing the act, and at other times and places as any five of them shall think proper. Duke of Newcastle authorized to agree with the owners and occupiers of any grounds or buildings for the purchase thereof, within these bounds, viz. from the Strand at or near the east end of the New Church towards the north into Holywell Street, and from thence continuing northwards across the ground whereon several messuages stood, and were lately burnt down, and afterwards continuing northwards through or over other messuages and ground into Wyche Street; and from Wyche Street aforesaid continuing northward through or over other messuages and ground, into Little Stanhope Street, otherwise called Maypole Alley; and from thence along the said street or alley, all which messuages and ground are in the parish of Saint Clement Danes, in the liberty of Westminster, and county of Middlesex: and also all that messuage and ground situate at the north east corner of Stanhope Street aforesaid, and the messuages and ground in Prince's Street and Great Wyde Street, all which last mentioned premises are in the parish of Saint Giles in the Fields, in the said county; and that the materials of the said messuages, &c. shall immediately after the purchase vest in the said duke, his heirs, &c. Bodies corporate, &c. enabled to treat and agree with the duke of Newcastle for the sale or exchange of any ground or buildings within the bounds aforesaid. If proprietors refuse to treat, or do not evince a clear title, the value to be ascertained by a jury. Witnesses may be examined on oath. Jury to award the sums to be paid to the parties. Verdict of jury, &c. to be final; and to be entered in the register office of the county. On payment of the purchase money, the parties to convey the premises to the duke of Newcastle, his heirs, &c. In default thereof, or of accepting the purchase money, the same to be applied for the benefit of the parties interested as the commissioners shall direct; and the premises to vest in the duke of Newcastle. The whole of any house, or the site thereof, may be purchased, although a part only may be wanted. No ground to be made use of unless notice thereof be given to the owner on or before June 24, 1784. Requiring tenants to deliver up the premises in their possession within six months after notice. Purchase money for estates belonging to infants, &c. to be laid out to the same uses. The ground for the new street, between the Strand and Holywell Street, to be set out by 25 Dec. 1782; and the purchase money may

be paid to the mortgagees, if any. Purchase money for ground where any houſes lately burnt down were ſtanding, to bear intereſt from Juſt 24, 1782, till payment. To be a publick act.

C A P. LXVI.

An act for granting to his Maſteſty additional duties upon the produce of the ſeveral duties under the management of the reſpective commiſſioners of the cuſtoms and exciſe in Great Britain.

Moſt gracious Sovereign,

Preamble.

WE, your Maſteſty's moſt dutiful and loyal ſubjects, the commons of *Great Britain*, in parliament aſſembled, towards raiſing, by the moſt eaſy means, the neceſſary ſupplies to detract your Maſteſty's publick expences, have freely and voluntarily reſolved to give and grant unto your Maſteſty the ſeveral ſubſidies and duties herein-after mentioned; and do moſt humbly beſeech your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the twenty-fifth day of *July*, one thouſand ſeven hundred and eighty-two, there ſhall be raiſed, levied, collected, and paid, to and for the uſe of his Maſteſty, his heirs and ſucceſſors, an additional impoſt or duty, after the rate of five pounds *per centum*, upon the produce and amount of all the ſeveral ſubſidies, impoſts, and other duties, of what kind or nature ſoever they may be, which are now due and payable to his Maſteſty, and are collected in this kingdom, under the management and direction of the reſpective commiſſioners of the cuſtoms in *Great Britain*, for and upon any goods and merchandizes imported into, or exported from, or carried coaſtwise in *Great Britain*, except and excluſive of the additional impoſt or duty of five pounds *per centum*, commonly called *The impoſt one thouſand ſeven and ſeventy-nine*, which was granted by an act made in the nineteenth year of his Maſteſty's reign, intituled, *An act for granting to his Maſteſty additional duties upon the produce of the ſeveral duties under the management of the reſpective commiſſioners of the cuſtoms and exciſe in Great Britain*; which ſaid additional impoſt or duty by this act granted ſhall be charged and paid upon the amount of the ſaid former ſubſidies, impoſts, and other duties, and ſhall be wholly repaid and drawn back upon the exportation of the goods, under the ſame rules, regulations, ſecurities, penalties, and forfeitures, and in the ſame manner and form in all reſpects, as the ſaid additional impoſt one thouſand ſeven hundred and ſeventy-nine, is now charged, collected, paid, and drawn back, and ſhall be appropriated and applied to the uſes and purpoſes in this act mentioned.

Exception.

19 Geo. 3. c. 25.

An additional duty on all exciſeable

II. And be it further enacted by the authority aforeſaid, That, from and after the ſaid twenty-fifth day of *July*, one thouſand ſeven

ſeven hundred and eighty-two, there ſhall be raiſed, levied, collected, and paid, to and for the uſe of his Maſteſty, his heirs and ſucceſſors, an additional duty or charge of five pounds *per centum*, upon the produce and amount of all the ſeveral inland duties, rates, impoſitions, and charges, (except as herein-after is excepted) now payable to his Maſteſty, and which are charged and collected under the management of the reſpective commiſſioners of exciſe in *England* and *Scotland*; which ſaid additional duty of five pounds *per centum*, hereby impoſed, ſhall and may, from time to time, be charged, raiſed, levied, recovered, and ſecured, by ſuch ways and means, and under ſuch penalties and forfeitures, and ſubject to ſuch allowances, drawbacks, rules, and directions, as the ſeveral and reſpective inland duties, rates, impoſitions, and charges, on the produce and amount of which the ſaid additional duty or charge is hereby impoſed, are or can, by any ſtatute now in force, be reſpectively charged, raiſed, received, levied, collected, recovered, ſecured, mitigated, or drawn back, as fully and effectually, to all intents and purpoſes, as if all and every the ſeveral powers, authorities, rules, regulations, methods, penalties, forfeitures, powers of mitigation, clauſes, matters, and things, were particularly repeated and again enacted in the body of this preſent act.

III. Provided always, and it is hereby enacted by the authority aforeſaid, That nothing in this act contained ſhall extend, or be conſtrued to extend, to charge with the ſaid additional duty or charge of five pounds *per centum*, the produce or amount of the duties on beer, malt, ſope, tallow candles, hides, or ſkins, brewed, made, tanned, tawed, or dreſſed, within *Great Britain*; or to charge with the ſaid duty the produce or amount of the ſeveral duties of five pounds *per centum*, and five pounds *per centum* reſpectively impoſed upon the produce and amount of the ſeveral inland duties, under the management of the ſaid commiſſioners of exciſe in *England* and *Scotland*, by the ſeveral acts reſpectively made in the nineteenth, twentieth, and twenty-ſiſt years of his preſent Maſteſty's reign, or by any or either of them; any thing herein-before contained to the contrary notwithstanding.

IV. And it is hereby enacted by the authority aforeſaid, That the ſaid additional impoſts and duties by this act granted, ſhall, from time to time, be paid into the hands of the receiver-general of the cuſtoms, and to the caſhier of the exciſe in *England* reſpectively for the time being; and ſuch receiver-general and caſhier reſpectively ſhall, weekly, to wit, on *Wednesday* in every week, if it be not an holiday, and if it be, then on the next day after that is not an holiday, anſwer and pay all the monies ariſing by the ſaid additional impoſts and duties, (the neceſſary charges of raiſing, collecting, and anſwering the ſame only excepted), into the receipt of his Maſteſty's exchequer, diſtinct and apart from all other monies which ſuch receiver-general and caſhier reſpectively ſhall receive for the uſe of his Maſteſty, his heirs and ſucceſſors, for the uſes and purpoſes in this act mentioned.

goods (except as alter excepted), after the rate of 5 per cent. of the former duties.

This act not to affect the duties on beer, malt, ſope, tallow candles, and hides, brewed, made, &c. in Great Britain nor the additional 5 per cents. on the exciſe duties, granted in 19 Geo. 3. &c.

New duties to be paid into the exchequer weekly;

to be kept fe-
parate from
all other du-
ties;

and to be ap-
plied in pay-
ment of the
annuities
granted by
the lottery
act of this
fession.

V. And be it further enacted by the authority aforefaid, That there fhall be provided and kept, in the office of the auditor of the faid receipt of exchequer, a book or books, in which all the monies arifing from the faid feveral impofts and duties, and paid into the faid receipt as aforefaid, fhall be entered feperate and apart from all other monies paid and payable to his Majefty, his heirs and fucceffors, upon any account whatfoever; and the faid money, fo paid into the faid receipt of exchequer as aforefaid, fhall, together with fuch other rates, duties, and revenues, as fhall be granted by any act or acts of this fession of parliament for this purpofe, be a fund for the payment of the feveral annuities, and all fuch other charges and expences, as are directed to be paid and payable purfuant to an act of this prefent fession of parliament, intituled, *An act for raifing a certain fum of money by way of annuities, and for eftablifhing a lottery.*

C A P. LXVII.

An act for granting to his Majefty a certain fum of money out of the finking fund; and for applying certain monies therein mentioned for the fervice of the year one thoufand feven hundred and eighty-two; and for further appropriating the fupplies granted in this fession of parliament.

2,284,715l. 10s. 8d. granted out of the finking fund, for the fervice of the current year; to be iffued by the treasury accordingly. Treasury empowered to raife the fum of 2,284,715l. 10s. 8d. or any part thereof, by loans or exchequer bills, on the credit of the finking fund. All perfons who fhall lend any money upon the credit of this act to have a tally of loan, with orders for repayment of the money, with intereft. Orders to be regiftered in courfe. No undue preference to be given in payment. No fee to be taken, on forfeiture of treble damages, with full cofts. Penalty of undue preference in point of registry or payment. Auditor, &c. neglecting his duty, liable for damages, &c. to be recovered by action in any of the courts at Weftminfter, with cofts. No undue preference in the regiftering, where orders are brought the fame day; nor if fubfequent orders are paid before others not brought in courfe, fo as money be referved for the preceding orders. Power of assignment, and assignees may transfer orders toties quoties. If it fhall be judged more advifeable, the treasury may raife the faid fum by exchequer bills inftead of loans; and the bills in fuch cafe to be made in the manner prefcribed by the land tax act of this fession. All advantages and penalties in the land tax act of this fession, relating to loans or exchequer bills thereby authorized to be made forth, extended to this act. The faid exchequer bills, intereft, and charges, are to be paid out of the finking fund. Bank authorized to lend to his Majefty the fum of 2,284,715l. 10s. 8d.; notwithstanding an act of 5 & 6 Gul. & Marie. The fum of 200,000l. furplus of the finking fund, on Oct. 10, 1781; and 670,760l. 11s. 2d. 3q. of the faid furplus on April 5, 1782; 23,645l. 2s. 7d. in the hands of the deputy treafurer of Chelsea hofpital; and 10,251l. 18s. 11d. in the exchequer; fhall be applied towards making good the fupply. A fum not exceeding 9,321l. 6s. 8d.; 28,346l. 5s.; 17,448l. 37,300l.; and 63,928l. 2s. 6d. remaining in the hands of the paymafter general, fhall be applied towards defraying the extraordinary expences of the land forces, &c. from Jan. 31, 1781, to Feb. 1, 1782. The monies arifing by the land tax, malt tax, lottery act, and loans of 1,500,000l. and further loans of 1,900,000l. Vote of credit for 1,000,000l. 200,000l. remaining in the exchequer on Oct. 10, 1781, of the furplufes of the finking fund; and 670,760l. 11s. 2d. 3q. remaining on April 5, 1782, of the faid furplufes; 23,645l. 2s. 7d. remaining in the hands of the deputy treafurer of Chelsea hofpital, &c.; 10,251l. 18s. 11d. remaining in the exchequer;

chequer; and 2,284,715 l. 10s. 8 d. by this act granted out of the surplusses of the sinking fund; shall be applied to the uses following: 6,563,285 l. 22s. 9 d. towards naval services; 1,500,000 l. towards paying off the navy debt; 696,000 l. 13s. 5 d. for the charges of the office of ordnance for 1781; 899,721 l. 15s. 7 d. for ditto, not provided for in 1781; 7,661,421 l. 13s. 4 d. 1 q. towards maintaining the land forces, &c.; of which 1,242,831 l. 23s. 3 d. for defraying the charges of 49,455 effective men, including officers, and 4,175 invalids, for guards, garrisons, &c. in Great Britain, &c.; 1,315,521 l. 5s. 10 d. for forces and garrisons in Africa, and the East Indies, &c.; 43,840 l. 6s. for general and general staff officers in Great Britain; 56,074 l. 19s. 4 d. 2 q. for five Hanoverian battalions at Gibraltar and Minorca, and for provisions for three of the said battalions at Gibraltar, for the year 1782; 367,203 l. 9s. 10 d. for 13,472 troops of Hesse Cassel, &c.; 61,108 l. 11s. 1 q. for two regiments of Hanau, &c.; 17,498 l. 3s. 2 d. 3 q. for a regiment of Waldeck, &c.; 93,947 l. 15s. 8 d. for 4,300 Brunswickers, &c.; 43,665 l. 12s. 3 d. for 1,559 troops of Brandebourg Anspach; 2,181 l. 11s. 1 d. 1 q. for infantry, &c. of Anhalt Zerbst; 55,469 l. for provisions for foreign troops serving in America; 15,499 l. 17s. 5 d. to make good a deficiency in the sums voted for the troops of Hesse Cassel for 1781; 3,282 l. 12s. 5 d. to make good a deficiency in the sums voted for the troops of Brandebourg Anspach; 4,942 l. 19s. to make good a deficiency in the sums voted for the troops of Anhalt Zerbst in 1781; 27,683 l. 14s. for defraying the charge of artillery for foreign troops for 1782; 677,497 l. 15s. 10 d. for defraying the charge of the militia in South Britain, &c. for 1782; 100,594 l. 17s. 1 d. for defraying the charge of clothing for militia in 1782; 21,329 l. 18s. 8 d. for defraying the charge of a regiment of light dragoons, &c.; 36,280 l. 10s. 8 d. for advanced pay for troops for the East Indies; 92,881 l. 17s. 1 d. to the outpensioners of Chelsea hospital; 541 l. 14s. 1 d. for an additional company, &c. of militia in South Britain for 1781; 77,595 l. 19s. 2 d. for reduced officers of land forces, &c.; 574 l. 18s. 4 d. for officers and private gentlemen of horse guards reduced, &c.; 1,675 l. 10s. 4 d. for additionals to three regiments of foot, &c.; 3,280,053 l. 11s. 10 d. 2 q. for extraordinaries of land forces in 1781, &c.; 1,500,000 l. for paying off the exchequer bills made out by virtue of an act of last session; 1,000,000 l. for paying off the exchequer bills made out by virtue of the vote of credit of last session; 1,420,000 l. for paying off other exchequer bills of last session; 480,000 l. for paying off exchequer bills issued since Jan. 24, 1782; 2,908 l. 9s. 1 d. 1 q. issued in pursuance of addresses of the house of commons; 25,000 l. towards carrying on the buildings at Somerset House; 5,021 l. 10s. 5 d. for supporting the civil establishment of Nova Scotia; 2,536 l. for the civil establishment of Georgia; 3,950 l. for the civil establishment of East Florida; 2,700 l. for the civil establishment of West Florida; 3,000 l. for the civil establishment of the island of Saint John; 15,000 l. for maintaining forts on the coasts of Africa; 19,000 l. for the commissioners of public accounts; 5,830 l. 1s. 6 d. on account of new roads, &c. in the highlands of Scotland; 73,704 l. 8s. for relief of American civil officers, &c.; 5,000 l. for assisting the Levant company; 3,000 l. to the British Museum; 16,364 l. 10s. 5 d. for making compensation for certain lands, &c. at or near Plymouth; 10,000 l. towards rebuilding Newgate; 14,719 l. 4s. issued to Duncan Campbell, for maintaining convicts, &c.; 35,149 l. 8s. 2 q. to make good the deficiency of a fund to pay annuities granted by an act 31 Geo. 2. c. 22; 183,380 l. 3s. 8 d. to make good the deficiency of a fund for paying annuities granted by an act 28 Geo. 3. 102,806 l. 9s. to make good the deficiency of a fund for paying annuities granted by an act 19 Geo. 3. c. 18; 153,193 l. 8s. 11 d. to make good the deficiency of a fund for paying annuities granted in 20 Geo. 3. c. 16; and 19,667 l. 5s. 11 d. 3 q. to make good the deficiency of the grants for the year 1781. The said aids to be applied only to the uses before mentioned. Rules to be observed in the application of the halfpay. By an act 21 Geo. 3. c. 57. a sum not exceeding 79,059 l. was appropriated to be paid to reduced officers. Overplus monies, above satisfying the said officers, to be disposed of to officers who were maimed, &c. in the late war, or to officers widows and children, as his Majesty shall direct.

C A P. LXVIII.

An act for repealing the duties payable for beer and ale above ſix ſhillings the barrel, excluſive of the duties of exciſe; and not exceeding eleven ſhillings the barrel, excluſive of ſuch duties, and for granting other duties in lieu thereof; for granting additional duties on coaches, and other carriages therein mentioned; and alſo additional duties on ſope made in Great Britain, and upon the produce of the ſaid additional duties on coaches, and on other carriages; and for the better ſecuring the duty upon tea, and other duties of exciſe; and alſo for appointing the number of commiſſioners of exciſe who may hear cauſes depending before them relating to the duties on male ſervants.

Moſt gracious Sovereign,

Preamble.

WHEREAS beer or ale above ſix ſhillings the barrel, excluſive of the duties of exciſe, brewed for ſale, is by law chargeable with the ſame duties that are payable for the ſtrongeſt beer or ale ſo brewed for ſale, and the brewing of good table beer of moderate ſtrength is thereby diſcouraged; and, in order to promote the brewing of good table beer, it is expedient to proportion the duties payable on ſuch beer to the quality and real value thereof; may it therefore pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the fifth day of *July*, one thouſand ſeven hundred and eighty-two, the ſeveral rates and duties now payable for beer or ale above ſix ſhillings the barrel, excluſive of the duties of exciſe, and not exceeding eleven ſhillings the barrel, excluſive of ſuch duties, commonly called *Table Beer*, which ſhall at any time or times be brewed by the common brewer in *England* and *Wales*, ſhall ceaſe and determine, and be no longer paid or payable; and in lieu and in ſtead thereof there ſhall thenceforth be raiſed, levied, collected, and paid, throughout *England* and *Wales*,

From July 5, 1782, the duties on table beer, from 6s. to 11s. the barrel, repealed.

New duty.

For every barrel of beer or ale above ſix ſhillings the barrel, excluſive of the duties of exciſe, and not exceeding eleven ſhillings, excluſive of ſuch duties, commonly called *Table Beer*, brewed by the common brewer, and ſo proportionally for a greater or leſſer quantity, the ſum of three ſhillings, to be paid by ſuch common brewer; any law, uſage, or cuſtom, to the contrary in any wiſe notwithstanding.

No allowance to be made to the common brewer, out of the duties on malt,

II. And be it further enacted by the authority aforeſaid, That, from and after the ſaid fifth day of *July*, one thouſand ſeven hundred and eighty-two, no allowance ſhall be made to any ſuch common brewer out of the monies ariſing by the duty on malt, granted by an act made in the twentieth year of the reign
of

of his preſent Maſteſty, intituled, *An act for granting to his Maſteſty additional duties upon malt, and upon low wines and ſpirits made for home conſumption, and upon foreign ſpirits imported into Great Britain, and upon the produce of the ſaid ſeveral duties; and for granting a duty on licences to be taken out by all perſons trading in, vending, or ſelling coffee, tea, or chocolate; for any ſuch table beer or ale ſo brewed by any ſuch common brewer as aforeſaid, any thing in the ſaid ſtatute to the contrary thereof in any wiſe notwithstanding.*

granted by
20 Geo. 3 c. 35.
for ſuch table
beer.

III. *And, for preventing of frauds,* be it further enacted by the authority aforeſaid, That every common brewer who, from and after the ſaid fifth day of *July*, one thouſand ſeven hundred and eighty-two, ſhall brew any ſuch table beer above ſix ſhillings the barrel, and not exceeding eleven ſhillings the barrel, as aforeſaid, ſhall, and he is hereby directed and required to brew and make the ſame of one entire guile; and no ſuch common brewer ſhall, on any pretence whatever, be permitted to brew or make any ſuch table beer of the quality and price aforeſaid from any party guile; but all the beer or ale above ſix ſhillings the barrel, excluſive of the duties of exciſe, which, from and after the ſaid fifth day of *July*, one thouſand ſeven hundred and eighty-two, ſhall be brewed or made from any party guile by any common brewer, or other perſon or perſons who ſhall ſell or tap out the ſame publickly or privately, ſhall be charged by the officers of exciſe as ſtrong beer; and the common brewer, or other perſon or perſons, ſo ſelling or tapping out the ſame as aforeſaid, ſhall pay the duties thereof accordingly; any law, uſage, or cuſtom, to the contrary notwithstanding.

Table beer
made from
party guile
ſhall be charg-
ed by the offi-
cers as ſtrong
beer.

IV. And be it further enacted by the authority aforeſaid, That every ſuch common brewer who ſhall brew or make any ſuch table beer as aforeſaid, whoſe brewhouſe or brewhouſes is or are ſituate in any city or the ſuburbs thereof, or in any market town, ſhall, at leaſt four hours before he ſhall begin to brew any ſuch table beer as aforeſaid, give, or cauſe to be given, to the officer of exciſe under whoſe ſurvey ſuch common brewer ſhall then be, a notice, in writing, of the particular hour or time of the day when he intends to begin ſuch brewing; and every other common brewer of ſuch table beer as aforeſaid, whoſe brewhouſe or brewhouſes is or are not ſituate in any city, or the ſuburbs thereof, nor in any market town, ſhall, at leaſt twelve hours before he ſhall begin to brew any ſuch table beer as aforeſaid, give, or cauſe to be given, a like notice in writing; and in caſe ſuch brewer ſhall not begin to brew, and proceed in that brewing at the hour or time mentioned in ſuch notice, or within two hours next after the expiration of the ſaid hour and time, every ſuch notice ſhall be null and void, and every ſuch brewer ſhall be obliged to give a freſh and like notice before he or ſhe begins to brew ſuch table beer; and in caſe any ſuch common brewer ſhall neglect to give ſuch notice, or having given a notice which ſhall become void, ſhall neglect to give a

Brewers of
ſuch table
beer to give
notice to the
officers of
exciſe of the
time they in-
tend to begin
brewing.

Penalty on
default.

fresh and like notice, or having given fuch notice or notices, and having begun to brew fuch table beer as aforefaid, fhall neglect or refufe to proceed therein until the whole guile is finifhed, every fuch common brewer offending therein fhall, for every fuch offence, refpectively forfeit and lofe the fum of fifty pounds.

Brewer of fuch table beer to mix the feveral worts of each guile.

Penalty on default.

Penalty on making any increafe, after declaring the quantity and quality of fuch beer, &c.

V. And be it further enacted by the authority aforefaid, That every fuch common brewer, fo brewing fuch table beer as aforefaid, fhall, and he is hereby directed and required to mix and mingle the feveral worts of each entire guile of all fuch table beer, fo that the whole quantity of each entire guile, whether the fame be in one or more tun or tuns, or other veffels or utensils, fhall be of one and the fame quality and ftrength; and then, and not fooner, every fuch common brewer of fuch table beer fhall declare (on demand made by the gauger or officer) the quantity and quality of the table beer made by him in that guile or brewing, which declaration fhall be made before any part of any fuch guile or brewing is cleaned or removed out of his tuns, veffels, or other utensils; and in cafe any fuch common brewer fhall not fo mix and mingle the feveral worts of fuch table beer in his tuns, veffels, or utensils, as that the whole quantity of the guile be of one quality and ftrength as aforefaid, or if fuch common brewer, or his fervant, brewing or making any fuch guile of table beer, fhall refufe to make fuch declaration as aforefaid, the officer of excife fhall, in every fuch cafe, charge and return the whole of fuch guile to be ftrong beer, and fuch common brewer fhall pay the duties thereof accordingly, and fhall alfo forfeit and lofe, for every barrel of fuch table beer contained in fuch guile, the fum of twenty fhillings; and if any fuch common brewer of table beer, or his fervant or fervants, after fuch declaration made as aforefaid, fhall make any increafe of the faid table beer, fo declared, by any ways or means whatever, or fhall mix his table beer of one guile or brewing with any beer of any other guile or brewing, or with fmall beer, or returned drink, or with water, or by any other ways or means whatsoever; or in cafe fuch officer or officers fhall difcover or find any of the faid table beer or worts of the fame guile laid off, over and above the quantity fo declared as aforefaid, fuch common brewer fhall forfeit and lofe, for every barrel fo increafed or mixed, laid off or found, over and above the quantity fo declared as aforefaid, the fum of five pounds; and the fervant or fervants of fuch common brewer, or other perfon or perfons, and every of them, who was or were any ways concerned, or aiding or affifting in making any fuch increafe or mixture, after declaration, or in laying off any fuch table beer, or the worts of fuch guile, before fuch declaration made as aforefaid, fhall forfeit and lofe, for every barrel fo increafed, mixed, or laid off, the fum of twenty fhillings; and, in default of payment thereof, fhall fuffer three months imprifonment; unlefs it fhall appear that fuch increafe or mixture was made by adding to or mixing with the fame any table beer that was left in his or her brewhoufe

brewhouſe of a former guile of his or her brewing, and unleſs it ſhall alſo appear, that ſuch increaſe was made or added in the ſight and view of the proper gauger or officer.

VI. And, to prevent the mixing ſuch table beer with any other beer, whether ſtrong beer or ſmall, either by the common brewer brewing the ſame, after the gauge thereof hath been taken, or by the retailer of any ſuch table beer, after the ſame ſhall have been ſold and delivered to him or her, be it further enacted by the authority aforeſaid, That, from and after the ſaid fifth day of July, one thouſand ſeven hundred and eighty-two, if any common brewer, inn-keeper, publican, or other retailer of any ſuch table beer, ſhall mix, or cauſe or ſuffer to be mixed, in any veſſel or meaſure, or otherwiſe howſoever, any ſuch table beer with any ſtrong beer or ale, or ſtrong worts, or with ſmall beer, or ſmall worts, or with water, after the gauge of ſuch table beer ſhall have been taken by an officer of exciſe, every ſuch perſon ſo offending ſhall, for every ſuch offence, forfeit and loſe the ſum of fifty pounds.

Penalty on mixing ſuch table beer, after the gauge hath been taken, with any other beer, &c.

VII. And be it further enacted by the authority aforeſaid, That when any ſuch table beer, ſo brewed by any ſuch common brewer as aforeſaid, ſhall be cleaned into any caſk or caſks from the tun or tuns, or other veſſels or utenſils, wherein the ſame ſhall have been mixed and mingled, and the length declared as aforeſaid, every ſuch common brewer, or his ſervant, ſhall forthwith mark each and every ſuch caſk and caſks, into which ſuch beer ſhall be ſo cleaned, with the capital Roman letter T, of the length of four inches at the leaſt, to denote that the beer therein contained is ſuch table beer as aforeſaid; which ſaid mark ſhall be put on the open and moſt conſpicuous part of each ſuch caſk or caſks: and if any ſuch common brewer of table beer as aforeſaid, or his ſervant, ſhall cleanſe any ſuch beer into any caſk or caſks, and ſhall neglect to mark each and every ſuch caſk in manner before directed, the officer or officers of exciſe, who ſhall diſcover and find any ſuch table beer in any caſk or caſks, in the poſſeſſion of any ſuch common brewer, without ſuch mark as aforeſaid, ſhall, and he and they are hereby required to charge and return the ſame as ſtrong beer, and ſuch common brewer ſhall pay the duties accordingly.

Table beer, when cleaned into caſks, to be marked with the letter T;

or ſhall be charged as ſtrong beer.

VIII. And be it further enacted by the authority aforeſaid, That when any ſuch common brewer ſhall have cleaned ſuch table beer into any caſk or caſks in manner herein-before directed, each and every ſuch caſk and caſks, containing ſuch table beer, ſhall be kept ſeparate and apart from all other caſks and barrels of other beer or ale then in the poſſeſſion of any ſuch common brewer, on pain of forfeiture, for every offence therein, the ſum of twenty pounds.

Such caſks to be kept ſeparate from all other caſks of beer.

IX. And be it further enacted by the authority aforeſaid, That no common brewer, who ſhall brew or make any ſuch table beer as aforeſaid, ſhall knowingly ſell or deliver, or permit or ſuffer to be ſold or delivered, any of the ſaid table beer, either by the barrel or otherwiſe, to any other common brewer, or to any perſon brewing victualler, or to any exporter of beer, or to any perſon

Brewers of ſuch table beer not to ſell any to other common brewers, &c.

or

or perſons, to and for the uſe or benefit of any ſuch other common brewer, brewing victualler, or exporter of beer, on pain of forfeiting, for every ſuch offence, the ſum of twenty pounds.

All the powers, directions, &c. provided by 12 Car. 2. c. 24. or any other law now in force, relating to the exciſe upon beer, &c. ſhall be applied in execution of this act.

X. And be it further enacted by the authority aforeſaid, That all and every the powers, authorities, directions, rules, methods, allowances, penalties, and forfeitures, clauſes, matters, and things, which in and by an act, made in the twelfth year of the reign of King *Charles* the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knights ſervice, and purveyance; and for ſettling a revenue upon his Maſteſty in lieu thereof*; or by any other law now in force, relating to his Maſteſty's revenue of exciſe upon beer, ale, and other liquors, are provided, ſettled, or eſta bliſhed, for ſecuring, enforcing, managing, raiſing, levying, collecting, paying, mitigating, or recovering, adjudging, or aſcertaining, the duties or penalties thereby granted, and for preventing, detecting, and puniſhing frauds relating thereto, (other than in ſuch caſes for which other directions are given and alterations made by this act), ſhall be exerciſed, practiſed, applied, and put in execution, for the ſecuring, enforcing, managing, raiſing, levying, collecting, paying, mitigating, adjudging, aſcertaining, and recovering, the duties and penalties hereby granted, and for preventing, detecting, and puniſhing frauds relating thereto, as fully and effectually, to all intents and purpoſes, as if all and every the ſaid powers, authorities, rules, directions, methods, allowances, penalties, and forfeitures, clauſes, matters, and things, were particularly repeated and again enacted in the body of this act.

From July 5, 1782, an additional duty of 20s. per ann. ſhall be paid for every coach, berlin, landau, chariot, caſaſh with four wheels, chaiſe-marine, chaiſe with four wheels, and caravan, or by what name ſoever ſuch carriages now are or hereafter may be called or known, (except hackney coaches);

and alſo for every two-wheeled carriage kept for private uſe.

XI. And be it further enacted by the authority aforeſaid, That, from and after the ſaid fifth day of *July*, one thouſand ſeven hundred and eighty-two, there ſhall be raiſed, levied, collected, and paid unto his Maſteſty, his heirs and ſucceſſors, an additional duty of twenty ſhillings *per annum* for and upon every coach, berlin, landau, chariot, caſaſh with four wheels, chaiſe-marine, chaiſe with four wheels, and caravan, or by what name ſoever ſuch carriages now are or hereafter may be called or known, that ſhall be kept by or for any perſon for his or her own uſe, or to be let out to hire, or that ſhall be kept by or for any perſon or perſons as publick ſtage coaches, employed in carrying paſſengers for hire to and from different places within this kingdom, (other than and except ſuch coaches and other carriages as now are or hereafter may be licenſed by the commiſſioners for the duties ariſing by hackney coaches); and alſo for and upon every caſaſh, chaiſe, and chair, with two wheels, or by what name ſoever ſuch carriages now are or hereafter may be called or known, to be drawn by one or more horſes, that ſhall be kept by or for any perſon or perſons for his, her, or their own uſe; which ſaid additional duty of twenty ſhillings, hereby impoſed upon coaches and other carriages as aforeſaid, ſhall, from time to time, be paid down by the perſon or perſons reſpectively keeping the ſame, in like manner, and at the ſame time, and be raiſed, levied, collected, and paid, by the ſame means

means and methods, and under the like rules, regulations, directions, and penalties, as the annual duties given and granted by an act, made in the twentieth year of the reign of his late majesty King George the Second, intituled, *An act for granting to his Majesty several rates and duties upon coaches and other carriages therein mentioned; and for raising the sum of one million by way of lottery, to be charged upon the said rates and duties*, are directed to be raised, levied, collected, and paid.

XII. And be it further enacted by the authority aforesaid, That the said several additional duties, herein before granted on coaches and other carriages as aforesaid, shall be moreover subject and liable to the additional duty or impost of five pounds *per centum*, and five pounds *per centum*, on the produce and amount thereof respectively, in the same manner, and under the same regulations, as the additional duty of five pounds *per centum*, and of five pounds *per centum*, are granted to his Majesty by two several acts of parliament, the one, made in the nineteenth year of his present Majesty's reign, intituled, *An act for granting to his Majesty additional duties upon the produce of the several duties under the management of the respective commissioners of the customs and excise in Great Britain*; the other, made in the twenty-first year of his present Majesty's reign, intituled, *An act for granting to his Majesty an additional duty upon the produce of the several duties under the management of the respective commissioners of the excise in Great Britain*.

The new duties on carriages to be subject to the additional 5 per cents. granted by 19 Geo. 3 c. 25. and 21 Geo. 3. c. 17.

XIII. And be it further enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid unto his Majesty, his heirs and successors, for and upon all sope of what kind soever which, at any time or times after the said fifth day of July, one thousand seven hundred and eighty-two, shall be made within the kingdom of *Great Britain*, over and above all duties, charges, and impositions, by any act or acts of parliament thereupon set and imposed, the several additional duties herein after mentioned and expressed; that is to say,

From July 5, 1782, the following additional duties shall be paid for all sope made in Great Britain; vide licet,

For and upon all hard cake sope, or ball sope, made in *Great Britain*, an additional duty of three farthings for every pound weight, consisting of sixteen ounces *avoirdupois*; and after that rate for a greater or lesser quantity:

Hard cake sope, 3 q. per pound;

And for and upon all soft sope made in *Great Britain*, an additional duty of one farthing for every pound weight, consisting of sixteen ounces *avoirdupois*; and after that rate for a greater or lesser quantity:

Soft sope, 1 q. per pound.

Which said several and respective duties on sope shall be paid by the makers thereof respectively; and the same shall be raised, levied, collected, and paid, in the same manner, and under the like rules, and with like drawbacks on such *British* made sope exported, as the former duties on sope made in *Great Britain* are now raised, levied, collected, paid, and drawn back.

To be paid by the makers.

XIV. And be it further enacted by the authority aforesaid, That

That

The additional duties to be repaid for all ſuch ſope uſed in certain manufactures.

That the ſaid additional reſpective duties, hereby impoſed on *Britiſh* made ſope, ſhall be repaid to the perſon or perſons who ſhall employ, ſpend, or conſume any quantity or quantities of ſuch ſope reſpectively, in the making of any clothes, ſerges, kerſies, bays, ſtockings, or other manufactures of ſheep or lambs wool only, or manufactures whereof the greateſt part of the value of the materials ſhall be wool, or in the finiſhing the ſaid manufactures, or preparing the wool for the ſame, or in whiten- ing of new linen in the piece, in order to the ſale of ſuch linen; which ſaid repayment of the ſaid additional reſpective duties ſhall be made on the like proofs, and under the ſame rules, regulations, oaths, affirmations, pains, and penalties, as in and by an act, made in the twelfth year of the reign of her majeſty Queen Anne, intituled, *An act for laying additional duties on ſope and paper, and upon certain linens, ſilks, callicoes, and ſtuffs, and upon ſtarch and exported coals, and upon ſtampt vellum, parchment, and paper, for raiſing one million four hundred thouſand pounds, by way of a lottery, for her Majeſty's ſupply; and for allowances on exporting made wares of leather, ſheep ſkins, and lamb ſkins; and for diſtribution of four thouſand pounds, due to the officers and ſeamen for gun money; and to adjust the property of tickets in former lotteries; and touching certain ſhares of ſtock in the capital of the South Sea company; and for appropriating the monies granted to her Majeſty;* is directed and required.

The additional duties on carriages, and on ſope, ſhall be levied and paid in the ſame manner as the former duties.

XV. And be it further enacted by the authority aforeſaid, That the ſaid reſpective additional duties, hereby impoſed on coaches and other carriages, and on ſope made in *Great Britain* as aforeſaid, ſhall be raiſed, levied, collected, and paid, in the ſame manner, and under ſuch management, penalties, and forfeitures, and with ſuch powers for recovering the ſame, and by ſuch rules, ways, and methods, as the ſeveral and reſpective former duties on coaches and other carriages, and on ſope made in *Great Britain* reſpectively, are now raiſed, levied, collected, and paid, under the directions of any act or acts of parliament now in force reſpecting the ſaid duties, as fully and effectually, to all intents and purpoſes, as if the ſeveral clauses, powers, directions, rules, penalties, and forfeitures, relating thereunto, were particularly here repeated, and again enacted in the body of this preſent act.

How to be applied.

XVI. And be it further enacted by the authority aforeſaid, That all the monies ariſing by the ſaid additional and other duties hereby granted and impoſed (the neceſſary charges of raiſing and accounting for the ſame excepted) ſhall, from time to time, be paid into the receipt of his Majeſty's exchequer at *Weſtminſter*, diſtinctly and apart from all other branches of the publick revenue, and ſhall be appropriated and applied in manner following; that is to ſay; the ſum of two ſhillings, part of the ſaid duty of three ſhillings the barrel by this act impoſed on table beer, ſhall be paid, iſſued, and applied, to the ſame uſes and purpoſes, in ſuch manner, and under ſuch regulations, as the monies ariſing by the duties on every barrel of ſix ſhillings beer

beer or ale, or under, were, by the ſeveral ſtatutes in that caſe made, appropriated unto, and directed to be applied; and the remainder of the ſaid duties on table beer, together with the additional duties on ſope, and on coaches and on other carriages, as aforeſaid, ſhall be ſubject and liable to the uſes and purpoſes herein-after mentioned.

XVII. And be it further enacted by the authority aforeſaid, That there ſhall be provided and kept in the office of the auditor of the ſaid receipt of exchequer a book or books, in which all the monies ariſing from the ſaid ſeveral rates and duties, and paid into the ſaid receipt as aforeſaid, ſhall be entered ſeparate and apart from all other monies paid and payable to his Maſteſty, his heirs and ſucceſſors, upon any account whatſoever; and the ſaid money, ſo paid into the ſaid receipt of exchequer as aforeſaid, except ſo much thereof as is herein-before otherwiſe appropriated, ſhall, together with ſuch other rates, duties, and revenues, as ſhall be granted by any act or acts of this ſeſſion of parliament for this purpoſe, be a fund for the payment of the ſeveral annuities, and all ſuch other charges and expences, as are directed to be paid and payable purſuant to an act of this preſent ſeſſion of parliament, intituled, *An act for raiſing a certain ſum of money by way of annuities, and for eſtabliſhing a lottery.*

A book to be provided in the auditor's office, in which the monies ariſing under this act, ſhall be entered.

Application thereof.

XVIII. And it is hereby enacted by the authority aforeſaid, That if, at any time or times, it ſhall happen that the produce of the ſeveral duties granted by this act, together with the ſeveral other duties, revenues, and taxes, granted in this ſeſſion of parliament, for the payment of the ſeveral annuities of three pounds *per centum*, and of four pounds *per centum*, and of ſeventeen ſhillings and ſixpence *per centum*, in reſpect of thirteen millions five hundred thouſand pounds, borrowed in purſuance of an act of this preſent ſeſſion of parliament, intituled, *An act for raiſing a certain ſum of money by way of annuities, and for eſtabliſhing a lottery*, ſhall not be ſufficient to pay and diſcharge the ſeveral annuities of three pounds *per centum*, and of four pounds *per centum*, and alſo the ſaid annuity of ſeventeen ſhillings and ſixpence *per centum*, to continue for ſeventy-eight years, from the fifth day of *January*, one thouſand ſeven hundred and eighty-two, and then to ceaſe, together with the other charges and expences attending the ſaid reſpective annuities, to be ſatiſfied and paid out of the ſame at the end of any or either of the half-yearly days of payment at which the ſame are directed by the ſaid act to be paid; then, and ſo often, and in every ſuch caſe, ſuch deficiency or deficiencies ſhall and may be ſupplied out of any of the monies which, at any time or times, ſhall be or remain in the receipt of the exchequer, of the ſurpluſſes, exceſſes, overplus monies, and other revenues, compoſing the fund commonly called *The Sinking Fund*, (except ſuch monies of the ſaid ſinking fund as are appropriated to any particular uſe or uſes by any former act or acts of parliament in that behalf); and ſuch monies of the ſaid ſinking fund ſhall and may be, from time to time, iſſued and applied accordingly: and if, at any time or

In caſe the produce of the duties granted by this act, and other acts, ſhall prove inſufficient to pay the annuities granted by the lottery act of this ſeſſion, then ſuch deficiency ſhall be ſupplied out of the ſinking fund, &c.

times,

times, before any monies of the ſaid fund, to be eſtabliſhed as aforeſaid, ſhall be brought into the exchequer as aforeſaid, there ſhall happen to be a want of money for paying the ſeveral annuities as aforeſaid, which ſhall be actually incurred and grown due at any of the half-yearly days of payment before-mentioned, that then, and in every ſuch caſe, the money ſo wanted ſhall and may be ſupplied out of the monies of the ſinking fund, (except as before excepted), and be iſſued accordingly.

Monies iſſued out of the ſinking fund, how to be replaced.

XIX. Provided always, and be it enacted by the authority aforeſaid, That whatever monies ſhall be iſſued out of the ſaid ſinking fund ſhall, from time to time, be replaced by and out of the ſiſt ſupplies to be then after granted in parliament.

In caſe of a ſurplus of duties, the ſame ſhall be reſerved for the diſpoſition of parliament.

XX. Provided always, and be it enacted by the authority aforeſaid, That in caſe there ſhall be any ſurplus or remainder of the monies ariſing by the ſaid fund, after the ſaid ſeveral and reſpective annuities, and all arrears thereof, are ſatiſfied, or money ſufficient ſhall be reſerved for that purpoſe, ſuch ſurplus or remainder ſhall, from time to time, be reſerved for the diſpoſition of parliament, and ſhall not be iſſued but by the authority of parliament, and as ſhall be directed by future act or acts of parliament; any thing in any former or other act or acts of parliament to the contrary notwithstanding.

Recital of
21 Geo. 3. c. 55.

XXI. *And whereas by an act, made in the laſt ſeſſion of parliament, intituled, An act for repealing the duties payable upon chocolate made in Great Britain, and for granting certain inland duties upon cocoa nuts in lieu thereof; for the better and more effectual ſecuring the revenue of exciſe, and of the inland duties under the management of the commiſſioners of exciſe, and for preventing frauds therein; for the more punctual and ready payment of the allowances to be made to brewers out of the additional duties impoſed on malt; and for rectifying a miſtake in an act made in this preſent ſeſſion of parliament, with reſpect to the exempting of candles from the additional duty of five pounds per centum upon the duties of exciſe impoſed by the ſaid act; it was, amongſt other things, enacted, That, for the preventing of, ſmuggled tea being conveyed from the ſea coaſts of this kingdom into the ſtocks of dealers in tea, no tea exceeding the quantity of ſix pounds weight ſhould at any time, ſave as therein is after mentioned, be removed or carried from any part of this kingdom, not being within the limits of the weekly bills of mortality, or of the chief office of exciſe in London, to any place within the ſaid limits: and whereas the ſuffering tea to be brought from the country into London in quantities not exceeding ſix pounds weight, hath in a great meaſure defeated the good effects propoſed by the ſaid recited act, and great quantities of ſmuggled tea have thereby been received into the ſtocks of fraudulent tea dealers, living within the limits aforeſaid; now, for the more effectually preventing ſuch evil practices, be it enacted by the authority aforeſaid, That, from and after the firſt day of Auguſt, one thouſand ſeven hundred and eighty-two, no tea whatever ſhall at any time (ſave as herein-after is mentioned) be removed or carried from any part of this kingdom, not being within the limits of the weekly bills of mortality, or of the chief office of exciſe*

From Aug 1, 1782, no tea to be removed from any part of this kingdom into

excife in London, to any place within the ſaid limits; and if any tea whatever ſhall be found ſo removed or carried, or removing or carrying, whether with or without permit, (ſave as hereinafter is mentioned), the ſame together with the canifters, bags, and other package, containing ſuch tea, and the veſſels and boats, and the horſes, and other cattle and carriages, employed in removing the ſame, ſhall be forfeited, and ſhall and may be ſeized by any officer or officers of exciſe; any thing in the ſaid recited act to the contrary thereof notwithstanding.

the weekly bills of mortality, (except as hereafter mentioned); on penalty of forfeiture thereof.

XXII. And whereas by the ſaid recited act it was further enacted, That no tea, exceeding the quantity of forty pounds weight (ſave as therein is excepted), at any one time, directed to one and the ſame perſon, or perſons where there are two or more in joint trade or partnership, ſhould be removed or carried from any city, town, pariſh, or place, in this kingdom, not being within the limits aforeſaid, to any other place out of the limits aforeſaid, not within the ſaid city, town, pariſh, or place, from which the ſame ſhall be ſo removed or carried; and it was by the ſame act provided, that nothing therein contained ſhould be conſtrued to prevent any dealer in any ſuch city, town, pariſh, or place, from taking out two or more permits, and by virtue thereof ſending two or more packages of forty pounds each to the ſame perſon in the ſame day, in manner therein directed and provided: and whereas the permitting tea to be ſent from places not being within the limits of the weekly bills of mortality, or of the chief office of exciſe in London, in ſo large quantities as forty pounds weight, has been much abuſed by fraudulent dealers in tea, and very conſiderable quantities of ſmuggled tea have thereby been received by ſuch dealers, from the coaſts of this kingdom, to the manifeſt diminution of the revenue, and to the injury of the fair trader: now, for obviating ſuch frauds, be it further enacted by the authority aforeſaid, That, from and after the ſaid firſt day of Auguſt, one thouſand ſeven hundred and eighty-two, no tea exceeding the quantity of twenty pounds weight, (not being in the original cheſt in which the ſame tea was imported into this kingdom by the united company of merchants of England trading to the Eaſt Indies, and then continuing in the ſame ſtate in which it was ſo imported) at any one time, directed to one and the ſame perſon, or perſons where there are two or more in joint trade or partnership, ſhall be removed or carried from any city, town, pariſh, or place, in this kingdom, not being within the limits aforeſaid, to any other place out of the limits aforeſaid, not within the ſaid city, town, pariſh, or place, from which the ſame ſhall be ſo removed or carried; and if any tea exceeding the quantity of forty pounds weight, at any one time, directed to one and the ſame perſon, or perſons where there are two or more in joint trade or partnership, (and not being in the original cheſt as aforeſaid), ſhall be found ſo removed or carried, or removing or carrying, whether with or without permit, the ſame, together with the canifters, bags, and other package containing the ſame, and the veſſels and boats, and the horſes and other cattle and carriages employed in removing or carrying the ſame,

Other part of the ſaid act recited.

From Aug. 1, 1782, no tea exceeding 20 pounds weight (not being in the cheſt in which it was imported), ſhall be removed out of any city, &c. not within the bills of mortality,

on penalty of forfeiture.

ſame, ſhall be forfeited, and ſhall and may be ſeized by any officer or officers of exciſe; any thing in the ſaid ſtatute to the contrary notwithstanding.

Several pack-
ages of 20
pounds each
may be ſent
the ſame day.

XXIII. Provided always, and be it enacted, That nothing herein contained ſhall be conſtrued to prevent any dealer in tea, in any ſuch city, town, pariſh, or place as aforeſaid, from taking out two or more permits, and by virtue thereof ſending two or more packages of tea, of twenty pounds each, to the ſame perſon in the ſame day, ſo as the ſaid packages ſhall not contain more than twenty pounds each, and ſhall be ſent under different permits, and by different conveyances.

Tea removed
according to
this act may
be returned.

XXIV. Provided alſo, and be it further enacted, That nothing herein contained ſhall be conſtrued to prevent dealers in tea, who ſhall have received into their reſpective ſtocks any tea removed according to the directions of this act, and accompanied with an authentick permit or certificate, from returning the ſame for the like cauſe, and in manner and form, as in and by the ſaid recited act is mentioned and directed.

Proviſions of
the recited
act (not ex-
preſſly re-
pealed) to re-
main in force.

XXV. And be it further enacted by the authority aforeſaid, That all the authorities, powers, proviſions, rules, regulations, and directions, by the ſaid recited act preſcribed and given, and not hereby expreſſly taken away or altered, ſhall continue and be exerciſed, uſed, and applied, as they might have been if this act had not been made.

Penalty on
perſons coun-
terfeiting any
permit for
removal of
excifeable
goods;

XXVI. *And whereas by the ſeveral ſtatutes relating to the inland duties under the management of the commiſſioners of exciſe, it is directed, that permits or certificates ſhould be granted, by the officers of exciſe, to accompany exciſeable commodities removing from one part of this kingdom to another part thereof, and certain forms of ſuch permits have, from time to time, been prepared for that purpoſe, by the direction and appointment of the ſaid commiſſioners, with certain ſtamps and marks impreſſed thereon: and whereas great frauds are daily committed by evil-minded perſons, who forge or counterfeit ſuch permits or certificates or who knowingly give or grant falſe and untrue permits or certificates, or who alter or eraze permits or certificates, after the ſame have been delivered by the proper officers: for remedy whereof, be it enacted by the authority aforeſaid, That, from and after the fifth day of July, one thouſand ſeven hundred and eighty-two, if any perſon or perſons whatſoever ſhall counterfeit or forge, or cauſe to be counterfeited or forged, any permit or certificate, for the removal of any exciſeable commodity from one part of this kingdom to any other part thereof, for the removal of which a permit or certificate is by any act or acts of parliament now in force required; or if any perſon or perſons ſhall knowingly or willingly give or grant any falſe or untrue permit or certificate, or ſhall knowingly or willingly accept or receive any falſe or untrue permit or certificate, to accompany any ſuch exciſeable commodity to be removed as aforeſaid; or if any perſon or perſons ſhall fraudulently alter or eraze any permit or certificate after the ſame ſhall have been given or granted by the proper officer of exciſe; or if any perſon*

son or persons shall knowingly or willingly publish or make use of any such permit or certificate so counterfeited, forged, false, untrue, altered, or erased; every person so offending shall, for each and every such offence, forfeit and lose the sum of two hundred pounds; which forfeiture shall and may be prosecuted in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland*, one moiety whereof to be to his Majesty, his heirs and successors, and the other moiety to him or them who will sue for, prosecute, and recover the same; wherein no effoin, protection, or wager of law, shall be allowed, nor any more than one imparlance; and every such permit or certificate, so counterfeited, forged, erased, or altered, shall be invalid, and of no effect.

or who shall knowingly publish or use any such permit.

XXVII. And be it further enacted by the authority aforesaid, That the penalties and forfeitures imposed by this act, or to be incurred by virtue thereof, shall be sued for, levied, recovered, or mitigated, by such ways, means, and methods, as any fine, penalty, or forfeiture, is or may be recovered or mitigated by any law or laws of excise, (not otherwise directed by this act), or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland*; one moiety whereof shall be to his Majesty, his heirs and successors, and the other moiety to him who shall discover and sue for the same.

Penalties and forfeitures how to be recovered and applied.

XXVIII. And whereas by a clause in an act of parliament, made in the last session of parliament, intituled, An act for the better management and collection of the duties upon male servants, granted by an act made in the seventeenth year of the reign of his present Majesty, it is enacted, That all prosecutions for the recovery of the duties upon male servants, and also for all forfeitures and offences made and committed within the immediate limits of the chief office of excise in London, shall be heard, adjudged, and determined, by the commissioners of excise, or the major part of them: and whereas the business of the said office cannot be executed with the like dispatch, ease and convenience to the parties concerned therein, as might be done in case the said prosecutions were to be heard, adjudged, and determined by a less number of the commissioners of the said duties for the time being than a majority of them, as is now done in all other cases within the jurisdiction and limits of the said chief office of excise: be it enacted by the authority aforesaid, That, from and after the twenty-fifth day of July, one thousand seven hundred and eighty-two, all such prosecutions as aforesaid which, before the said twenty-fifth day of July, one thousand seven hundred and eighty-two, shall not be heard, adjudged, and determined, but shall then, or at any time after, be depending at the said chief office, shall and may be heard, adjudged, and determined, by any three or more of such commissioners for the time being; and that it shall be sufficient, in the written account or record of such proceedings, to mention that such prosecutions are made and exhibited to and before three of such commissioners, without particularly mentioning or expressing

Recital of a clause in 21 Geo. 3. c. 31.

From July 25, 1782, all prosecutions under the said act, may be determined by any three of the said commissioners.

the christian and ſurname of ſuch three commiſſioners for the time being; and that every ſuch adjudication and determination of ſuch three or more of ſuch commiſſioners for the time being ſhall, and hereby is declared to be as good and valid in the law, and of the ſame force and effect, to all intents and purpoſes whatſoever, as if ſuch adjudication and determination had been by all, or by the majority of ſuch commiſſioners for the time being; any law or ſtatute to the contrary in any wiſe notwithstanding.

This act not to abridge the powers of exciſe officers.

XXIX. And be it enacted by the authority aforeſaid, That nothing in this act contained ſhall extend, or be conſtrued to extend, to take away or leſſen any of the powers or authorities heretofore given to the officers of exciſe, and for the inland duties, by any law or laws now in force relative to the ſaid duties.

Penalty on assaulting or oppoſing exciſe officers in executing this act.

XXX. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever ſhall aſſault, reſiſt, oppoſe, moleſt, or hinder, any officer or officers of exciſe, or for the inland duties, in the due execution of the powers or authorities given or granted to ſuch officer or officers by this act, every perſon or perſons ſo doing ſhall forfeit and loſe, for every ſuch offence, the ſum of fifty pounds.

Limitation of actions.

XXXI. And it is hereby further enacted by the authority aforeſaid, That if any perſon or perſons ſhall, at any time or times, be ſued or proſecuted for any act or thing by him or them done or executed by virtue or in purſuance of this or any other act or acts of parliament relating to the duties of exciſe, or inland duties, ſuch action or proſecution ſhall be commenced within the ſpace of three months next after the act or thing done, and which ſhall be ſued in the proper county; and ſuch perſon or perſons ſhall and may plead the general iſſue, and give this act, and the ſpecial matter, in evidence, for his or their defence; and if afterwards a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs in ſuch action or ſuit ſhall diſcontinue his or their action, or be nonſuited, or judgement ſhall be given againſt him or them, on demurrer or otherwiſe, then ſuch defendant or defendants ſhall have treble coſts to him or them awarded againſt ſuch plaintiff or plaintiffs.

General iſſue.

Treble coſts.

C A P. LXIX.

An act for compelling John Whitehill eſquire to return into this kingdom; and for reſtraining him, in caſe of his return, from going out of this kingdom for a limited time; and for diſcovering his eſtate and effects, and preventing the transporting or alienating of the ſame.

If John Whitehill eſquire, heretofore governor and preſident of the ſettlement of Fort Saint George, on the coaſt of Coromandel in the Eaſt Indies, and alſo heretofore member of the council and of the ſelect committee of the ſettlement aforeſaid, ſhall within forty-two days after three notices in the London Gazette, return into this kingdom, he ſhall enter into recognizance not to leave the ſame before Feb. 1, 1783, in the penalty of 50,000l. for himſelf, and 20,000l. for his ſureties, with condition that if

he

he shall not depart out of this kingdom before the 1st of February 1783, the said recognizance to be void: for taking, entering and inrolling of which only 10s. to be taken, besides the stamp-duty. In case he neglect to enter into such recognizance, barons of the exchequer may commit him to the Fleet; and if he leave the kingdom before Feb. 1, 1783, he, and his assistants therein, shall forfeit their estates both real and personal. John Whitehill esq; shall, within thirty days after his return into the kingdom, deliver into the court of exchequer, on oath, two particulars of his lands, tenements, goods, &c. in Europe, the East Indies, China, or elsewhere, whereof he was seized or possessed April 1, 1781, (except his wearing apparel, and that of his wife and children, the furniture of his house, and stock on his farm). Barons of the exchequer to deliver one duplicate of the particulars to the speaker of the house of lords, and the other to the speaker of the house of commons. If the particulars shall appear evasive or unsatisfactory, &c. the barons of the exchequer are to examine the person delivering the same, upon interrogatories. In default of attendance upon any summons from the said barons, they may issue their warrant for apprehending the defaulter; who, on refusing to be examined, &c. shall be committed. Persons detaining any part of the property of John Whitehill esq; or able to give information concerning the same, and who shall refuse to come before the said barons, &c. when lawfully summoned, shall be committed. John Whitehill esq; disabled from aliening or incumbering his real estate, until Feb. 1, 1783; and also from assigning his personal estate, except for the subsistence of himself and family, or for paying his debts contracted before April 29, 1782, and except perishable goods, and sufficient to indemnify his sureties. Exception of 10,000l. to make a provision for children, in case of marriage, which provision not to be affected by such recognizance. This act not to disable John Whitehill esq; from disposing of his estate or effects, in case he shall die before Feb. 1, 1783, &c. subject to the justice and disposition of parliament, nor from transferring any mortgage affecting his estate April 29, 1782, for securing money bona fide before due, so as no further sum be advanced after. If John Whitehill esq; shall, before Feb. 1, 1783, convey any of his monies or effects out of the realm, (except as is excepted), he, and his aids therein, shall be punished as felons, and suffer death. Penalty on persons who shall conceal any estate belonging to John Whitehill esq; to forfeit treble value, one moiety to his Majesty, and the other to the informer, to be recovered by action, &c. with costs, and to suffer imprisonment for one whole year, without bail. Allowance to be made to persons making discovery of any estate or effects concealed; 20l. per cent. for effects beyond sea, and 10l. per cent. if in the kingdom; to be paid out of the net produce. East India company to send an authenticated copy of the particulars delivered into the court of exchequer, to the supreme court of judicature in Bengal, &c. Allowance to persons making discovery of concealed estates or effects in India; 20l. per cent. out of the net produce, and the governor general and council of Bengal, and the governor and council of Fort Saint George, and Bombay, respectively, to sue for and recover the same in the name of the East India company. Persons in India who shall secrete any estate, real or personal, after six months from the time of entering the particulars of his estate upon record, to forfeit treble the value, one moiety to the East India company, and the other to him that will sue; to be recovered by action &c. with costs; and if the offender be a British subject to suffer imprisonment at the discretion of the court, but not above one year. Forfeited estates, &c. to be paid into the exchequer. In case John Whitehill esq; shall not, within twenty days after the expiration of the forty-two days before mentioned, return into this kingdom, all his estates, both real and personal, shall be forfeited to his Majesty. To be a publick act.

C A P. LXX.

An act to enable the commander in chief of his Majesty's forces, and the secretary to the commander in chief of his Majesty's forces, to send and receive letters and packets free from the duty of postage.

Preamble.

Recital of

4 Geo. 3. c. 24

Commander in chief, and his secretary, impowered to send and receive letters free from postage.

The said commander to appoint two persons to indorse publick letters sent from his office.

WHEREAS by an act, made in the fourth year of the reign of his present Majesty, (intituled, An act for preventing frauds and abuses in relation to the sending and receiving of letters and packets free from the duty of postage), it is enacted, That from and after the first day of May, one thousand seven hundred and sixty four, so long as the revenue arising in the general letter-office, or post office, or office of postmaster-general, shall continue to be made part of the aggregate fund, no letters or packets sent by the post, to or from any place whatsoever, shall be exempted from paying the duty of postage, except such letters and packets as are therein particularly excepted: and whereas the privilege of sending and receiving letters and packets free from the duty of postage is not, by the said act, extended to the commander in chief of his Majesty's forces, or to the secretary to the commander in chief of his Majesty's forces for the time being, who, by virtue of their respective offices and employments, necessarily send and receive many letters and packets relating to the publick concerns of these kingdoms; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the passing of this act, the said commander in chief of his Majesty's forces, and the secretary to the commander in chief of his Majesty's forces for the time being, shall and may send and receive letters and packets free from the duty of postage, in the same manner, and under such restrictions, as other officers mentioned in the said act are there-by permitted, in respect of their offices, to send and receive the same, in pursuance of the said act.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commander in chief for the time being to authorize and direct certain persons, not exceeding two in number, in his office or department, (a list of whose names shall be, from time to time, transmitted by him to the general post-office in London), to make and subscribe an indorsement upon letters and packets, to be sent by the post from his office, which shall concern the publick business of his office or department, signifying that such letters and packets are upon his Majesty's service; which letters and packets, being so subscribed, and being sealed with the seal of the commander in chief for the time being, or his secretary, shall and may be sent and conveyed by the post, free from the duty of postage.

III. And be it further enacted by the authority aforesaid, That

That if any perſon, authorized to make and ſubſcribe ſuch indorſement, ſhall knowingly make the ſame, or procure the ſame to be made, upon any letter or packet which does not really concern the buſineſs of the ſaid office or department of commander in chief, ſuch perſon ſhall, for the firſt offence, forfeit and pay the ſum of five pounds, to be recovered and applied in ſuch manner as by the act of the ninth year of the reign of queen Anne, for eſtabliſhing a general poſt-office, is directed with reſpect to the penalties inflicted by the ſaid act; and for the ſecond offence ſhall be diſmiſſed from his office.

Penalty on indorſing any letter which does not concern the ſaid office.

C A P. LXXI.

An act more effectually to prevent his Maſteſty's enemies from being ſupplied with ſhips or veſſels from Great Britain.

WHEREAS there is great reaſon to apprehend that his Maſteſty's enemies may endeavour, by purchaſing in the name of the ſubjects of neutral ſtates, or by other indirec[t] means and contrivances, to obtain the ſhips of his Maſteſty's ſubjects, as well for the purpoſe of hoſtility againſt his Maſteſty, as for carrying on their own trade and commerce, whereby the publick ſervice, and the trade and commerce of this country, may be greatly injured; for preventing thereof, may it pleaſe your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame; That, from and after the tenth day of July, one thou-

Preamble.

ſand ſeven hundred and eighty-two, it ſhall not be lawful for any of his Maſteſty's ſubjects (without licences from his Maſteſty in council firſt obtained), directly or indirec[tly, to ſell or otherwiſe diſpoſe of, or to contract or agree to ſell or otherwiſe diſpoſe of, any ſhip or ſhips, or veſſel or veſſels, to any ſubject or ſubjects of any neutral ſtate, or to any perſon or perſons reſiding in foreign parts, or to any agent or agents for any ſuch ſubject or ſubjects of any neutral ſtate, or for ſuch other perſon or perſons as aforeſaid, under any pretence, or in any manner whatſoever; and if any ſuch ſale, diſpoſition, contract, or agreement, ſhall be made, it ſhall be null and void to and for all intents and purpoſes whatſoever; and the ſhip or ſhips, or veſſel or veſſels, ſo ſold and diſpoſed of, or agreed to be ſold or diſpoſed of, with the guns, ammunition, ſtores, tackle, apparel, and furniture, to ſuch ſhip or ſhips, or veſſel or veſſels, belonging, ſhall be forfeited to the uſe of his Maſteſty, his heirs or ſucceſſors, and the perſon or perſons offending herein ſhall over and above forfeit the value of ſuch ſhip or ſhips, or veſſel or veſſels; and all ſuch ſhips or veſſels, of which any ſale or diſpoſition, or agreement for ſale or diſpoſition, ſhall be made contrary to this act, ſhall be ſeizable, if in any port, by or by order of the collector, comptroller, or other principal officer of

From July 10, 1782, no perſon, without licence, ſhall ſell any ſhip to any ſubject of a neutral ſtate, &c.

All ſuch contracts to be void; and the ſhips, &c. forfeited.

Ships fold before July 10, 1782, and remaining in port, such sales shall be void.

Master, or owner, of every ship, &c. failing to any foreign port, to give bond to his Majesty that the same shall not be fold contrary to this act.

In case any ship, after giving such bond, shall be fold to any of his Majesty's subjects, a new bond shall be given.

the customs in such port; or if at sea, then by the commander of any of his Majesty's ships or vessels of war, or of any vessel employed in the service of his Majesty's revenue.

II. And be it further enacted, That if, before the said tenth day of *July*, one thousand seven hundred and eighty-two, any ship or vessel belonging to any of his Majesty's subjects shall have been fold, or have been contracted to be fold, to any subject or subjects of any neutral state, or to any person or persons residing in foreign parts, or to any agent or agents for any such subject or subjects of any neutral state, or for such other person or persons as aforesaid, and shall, at any time after the passing of this act, be in any port or harbour within *Great Britain*, then every such sale, or contract for sale, shall be null and void.

III. And be it further enacted, That, from and after the tenth day of *July*, one thousand seven hundred and eighty-two, before any ship or vessel belonging to his Majesty's subjects shall be permitted or allowed to sail or depart from any port or harbour of *Great Britain*, bound to any foreign port or place, a bond shall be given to his Majesty by the master or one of the owners, with two sufficient sureties, to be approved of by the collector, comptroller, or other principal officer of his Majesty's customs at the port or place from whence such ship or vessel is intended to sail, in double the value of such ship or vessel, and of the guns, ammunition, stores, tackle, apparel, and furniture, to such ship or vessel belonging, upon condition that the same ship or vessel shall not, during the continuance of this act, directly or indirectly, be sold or disposed of, or contracted or agreed to be sold or disposed of, contrary to this act; and the collector, comptroller, or other principal officer of his Majesty's customs shall, upon taking such bond, give a certificate under his hand, without any fee or reward for the same, that such bond hath been given to his Majesty.

IV. Provided always, and be it further enacted, That if any ship or vessel, after bond given in pursuance of this act, shall be sold or disposed of to any of his Majesty's natural-born subjects, resident within this realm, or in any of his Majesty's dominions, it shall be lawful for the collector, comptroller, or other principal officer of his Majesty's customs at the port or place at which such bond was given, or at any other port or place in *Great Britain*, upon application to be made to him or them in that behalf, and upon production of the certificate herein-before directed, to take from the master, or one of the owners, and two sufficient sureties, to be approved of by such collector, comptroller, or other principal officer, another bond to his Majesty, in the same penalty, and with the like condition, as the bond before given in respect of such ship or vessel; and from thenceforth such former bond, in case there shall not have happened any breach in the condition thereof, shall be null and void, to all intents and purposes; and this provision for taking of a new bond shall operate and have effect as often as there shall be any new sale of any such ship or vessel.

V. Provided

V. Provided alfo, and be it further enacted, That all bonds, to be taken purfuant to this act, fhall be provided at the expence of his Majefty, and fhall not be chargeable with any of the duties upon ftamped vellum, parchment, or paper; any law or ftatute to the contrary in any-wife notwithstanding.

The bonds to be provided at his Majefty's expence.

VI. And be it further enacted, That every broker, agent, or other perfon negotiating or tranfacting any fale, contract, or agreement, contrary to the true intent and meaning of this act, fhall forfeit and pay the fum of one thoufand pounds.

Penalty on making any fale, &c. contrary to this act.

VII. And be it further enacted, That all the pecuniary penalties and forfeitures, which fhall be incurred under this act, fhall and may be recovered by action of debt, bill, plaint, or information, in any of his Majefty's courts of record at *Westminfter*, or in the court of exchequer in *Scotland* refpectively, in which no effoin, privilege, protection, or wager of law, or more than one imparlance, fhall be allowed; and one moiety thereof fhall be to the ufe of his Majefty, his heirs and fucceffors, and the other moiety thereof to the ufe of him, her, or them, who fhall fue for the fame.

Penalties and forfeitures how to be recovered and applied.

VIII. And be it further enacted, That if any perfon or perfons fhall be fued or profecuted for any thing done by virtue or in purfuance of this act, fuch perfon or perfons may plead the general iffue, and give this act and the fpecial matter in evidence in his, her, or their defence or defences; and if afterwards a verdict fhall pafs for the defendant or defendants, or the plaintiff or plaintiffs fhall difcontinue his, her, or their action or profecution, or be nonfuit, or judgement fhall be given againft him, her, or them, upon demurrer or otherwife, then fuch defendant or defendants fhall have treble cofts awarded to him, her, or them, againft any fuch plaintiff or plaintiffs.

Persons fued in executing this act, may plead the general iffue,

and recover treble cofts.

IX. Provided always, and be it further enacted, That this act fhall only continue in force until the end of one month from the firft day of the feflion of parliament which fhall next enfue after the paffing of this act.

Continuance of this act.

C A P. LXXII.

An act for continuing fo much of an act of the fixth year of his prefent Majefty, as relates to prohibiting the importation of foreign wrought filks and velvets.

6 Geo. 3. c. 28. recited, and further continued until June 14, 1788, and to the end of the then next feflion of parliament.

C A P. LXXIII.

An act to explain an act made in the twelfth year of the reign of King Charles the Second, (intituled, An act for prohibiting the planting, fetting, or fowing of tobacco in England or Ireland), and to permit the ufe and removal of tobacco, the growth of Scotland, into England, for a limited time, under certain reftrictions.

WHEREAS by an act, made in the twelfth year of the reign of King Charles the Second, for prohibiting the planting, fetting,

Preamble.
Recital of an act 12 Car. 2
Ca 34.

setting; or sowing of tobacco in *England*, the setting, planting, or improving to grow, making or curing tobacco, either in seed, plant, or otherwise, within the kingdom of *England*, dominion of *Wales*, islands of *Guernsey* or *Jersey*, or town of *Berwick upon Tweed*, is prohibited; and the said act has, by several subsequent acts, been explained and enforced: and whereas doubts have arisen whether the said prohibition is extended to that part of *Great Britain* called *Scotland*, by an act made in the fifth year of the reign of her late majesty *Queen Anne*, (intituled, An act for an union of the two kingdoms of *England* and *Scotland*): now, for obviating such doubts for the future, may it please your Majesty that it may be enacted; and be it enacted and declared by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act, made in the twelfth year of the reign of King *Charles the Second*, and all and every other act or acts which hath since passed for prohibiting the culture of tobacco in *England*, shall extend, and be construed to extend, to that part of *Great Britain* called *Scotland*; any thing in any former act or acts contained to the contrary thereof in any-wise notwithstanding.

5 Q. An. c. 8.

The recited act, &c. extended to Scotland.

Tobacco, the growth of Scotland, to be entered, &c. before Aug. 30, 1782.

II. And whereas it is reasonable to permit, for a limited time, under certain restrictions, the use and consumption of such tobacco as hath been already produced and cured in *Scotland*, or may have been planted before the passing of this act, and be now growing there, be it therefore enacted by the authority aforesaid, That all and every person or persons whatsoever, having in his, her, or their custody or possession, any tobacco of the growth or production of *Scotland*, shall, before the twentieth day of *August*, one thousand seven hundred and eighty-two, give or send notice in writing, under his, her, or their hand or hands, to the collector and comptroller of his Majesty's customs, at the custom-house in *Scotland* nearest to the place where such tobacco shall be lodged, a just and true account upon oath (which oath such collector and comptroller of the customs are hereby authorized and required to administer) of the quantity of such tobacco that such person or persons shall then have in his, her, or their custody or possession; and at the same time shall enter with and pay to such collector and comptroller the like duties for such tobacco, as are then due and payable upon the importation of tobacco of the growth and produce of the *British* colonies or plantations in *America*; and the like account shall in like manner be given or sent, and the like duties paid, for all tobacco that shall have been planted before the passing of this act, and may be now growing in *Scotland*; which last mentioned account shall be sent, and the duties paid, within three calendar months after such tobacco shall be gathered, on forfeiture of all such tobacco as shall be found unentered after the respective times herein-before limited.

Such tobacco not to be re-

III. And it is hereby further enacted by the authority aforesaid, That such tobacco shall not be carried or removed from *Scotland*,

Scotland, into any part of *England*, by land carriage, upon the forfeiture thereof, together with the horses, cattle, and carriages, made use of in the removing, carriage, or conveyance of the same. moved into *England* by land carriage;

IV. And it is hereby further enacted by the authority aforesaid, That it shall and may be lawful for the proprietor or proprietors of such tobacco to remove the same, coastwise by water, into any port in *England*, from the port where such tobacco was entered, but from no other, at any time before the twentieth day of *August*, one thousand seven hundred and eighty-three, in hogheads or casks, each of which shall not contain less than four hundred and fifty pounds weight of such tobacco; and before such tobacco shall be laden on board any ship or vessel for that purpose, the hogheads or casks shall be marked on the outside with the words *Scots Tobacco*, in letters not less than three inches in length, with ink or some other durable liquor; and the net weight of such tobacco, and the care of the casks, shall be also marked, with such ink or liquor, on the outsides of such hogheads or casks, and a certificate shall be granted, by the collector and comptroller of the customs at such port, to the master of the ship or vessel on board which such tobacco shall be laden, to accompany the same; which certificate shall express the weight of such tobacco, with the marks upon the casks, the name of the ship or vessel, the name of the person or persons by whom the duty was paid, and the time when, and the port in *England* to which, such tobacco is intended to be carried; and such tobacco shall also be liable to the like coast laws, duties, sufferances, cocquets, and other restrictions, not altered by this act, as are required by law for tobacco of the growth, production, or manufacture, of the *British* colonies or plantations in *America*, carried coastwise in *Great Britain*; and if such tobacco shall be removed, or found removing, without being marked as before directed, or without such sufferance, cocquet, or certificate, or shall not agree therewith, such tobacco shall be forfeited. but may by water, under certain restrictions.

V. And it is hereby further enacted by the authority aforesaid, That if any person or persons whatsoever shall take any false oath, or shall counterfeit, forge, erase, or in any wise alter any certificate required by this act, or shall cause or procure such certificate to be counterfeited, forged, erased, or altered in any respect, the person or persons so offending shall, for every such offence, forfeit and pay the sum of fifty pounds, one moiety to his Majesty, his heirs or successors, and the other moiety thereof to such officer or officers of the customs as shall sue and prosecute for the same; and such penalty shall and may be sued for, prosecuted, and recovered, in the name of his Majesty's attorney general in *England*, or lord advocate for *Scotland*, or in the name of any officer or officers of the customs in any court of record in *England*, or in the court of exchequer in *Scotland* respectively, where such offence shall be committed or discovered. Penalty on counterfeiting or altering certificates.

VI. And

All fuch tobacco not duly entered, or removed contrary to this act, with the cattle, &c. fhall be forfeited.

VI. And it is hereby further enacted by the authority aforefaid, That all fuch tobacco as fhall not be entered, and for which the duties fhall not be paid, purfuant to the directions of this act, or which fhall be removed, or found removing, in any refpect contrary thereto, together with the horfes, cattle, and carriages, made ufe of in the removing, carriage, or conveyance, of the fame, fhall and may be feized by any officer or officers of the customs, and profecuted, recovered, and difpofed of, in the fame manner, and by fuch ways and means, as other forfeited tobacco, horfes, cattle, and carriages, may be feized, profecuted, recovered, and difpofed of, by any act or acts of parliament in force in *Great Britain*.

Duty to be paid without any difcount.

VII. And it is hereby further enacted by the authority aforefaid, That the faid duty herein before granted fhall be paid down in ready money without any difcount or allowance whatsoever, and fhall be under the management and direction of the commissioners of the customs in *Scotland*, and their officers, and fhall be remitted to, and paid into, the receipt of his Majesty's exchequer, by the receiver-general of the customs in *England*, diftinct and apart from all other monies which fuch receiver-general fhall receive for the ufe of his Majesty, his heirs or fucceffors; and fhall be appropriated and applied to the fame ufes and purpofes as the duties payable upon the importation of tobacco of the growth or product of the *British* colonies or plantations in *America*, are appropriated and applied.

Application thereof.

No drawback on exportation.

VIII. And it is hereby further enacted by the authority aforefaid, That no part of the faid duty, granted by this act, fhall be repaid or allowed upon the exportation of fuch tobacco from any part of *Great Britain*.

C A P. LXXIV.

An act for enlarging the times appointed for the firft meetings of commissioners, or other perfons for putting in execution certain acts of this feflion of parliament.

Any act paffed during the prefent feflion, the commissioners, &c. for executing whereof fhall not have met as therein directed, may meet, &c. on any day within a fortnight after the end of this feflion.

C A P. LXXV.

An act to prevent the granting in future any patent office to be exercifed in any colony or plantation now, or at any time hereafter, belonging to the crown of Great Britain, for any longer term than during fuch time as the grantee thereof, or perfon appointed thereto, fhall difcharge the duty thereof in perfon, and behave well therein.

Preamble.

WHEREAS the practice of granting offices in his Majesty's colonies and plantations in America, and the *West Indies*, to perfons refident and intending to refide in *Great Britain*, (in confequence whereof fuch officers are exercifed by deputy, and have been frequently

frequently farmed out to the best bidder), has been long complained of as a grievance by his Majesty's loyal subjects in those parts, who have been thereby exposed to exactions and oppressions, as well as to inconveniences arising from neglect of duty; may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from henceforth no office to be exercised in any colony or plantation now, or at any time hereafter, belonging to the crown of Great Britain, shall be granted or grantable by patent for any longer term than during such time as the grantee thereof, or person appointed thereto, shall discharge the duty thereof in person, and behave well therein.

Granting patent offices to be executed in the colonies, restricted.

II. And be it further enacted by the authority aforesaid, That if any person or persons holding such office, shall be wilfully absent from the colony or plantation wherein the same is or ought to be exercised, without a reasonable cause to be allowed by the governor and council for the time being of such colony or plantation, or shall neglect the duty of such office, or otherwise misbehave therein, it shall and may be lawful to and for such governor and council to remove such person or persons from every or any such office: and in case any person or persons so removed shall think himself aggrieved thereby, it shall and may be lawful to and for the person or persons so aggrieved to appeal therefrom, as in other cases of appeal from such colony or plantation, whereon such motion shall be finally judged of and determined by his Majesty in council.

Governor and council may remove officers for neglect of duty;

III. Provided always, That it shall be lawful for the governor and council of any colony or plantation to give such leave of absence as they shall see occasion; and in such case, as likewise in the case of vacancy occasioned by death or motion, to provide for the due discharge of the duties of such office or offices until the King's pleasure shall be known.

and may grant leave of absence.

IV. Provided also, That nothing herein contained shall operate to the prejudice of any subsisting grant of such office or offices, or to prevent any office being granted determinable at pleasure.

Subsisting grants not to be prejudiced by this act.

C A P. LXXVI.

An act for enabling his Majesty to raise the sum of one million, for the uses and purposes therein mentioned.

Credit of loan granted to his Majesty for 1,000,000 l. Treasury may raise the same by loans or exchequer bills, in like manner as is prescribed by the land tax act of this session, concerning loans, &c. The clauses, &c. in the said act relating to loans, or exchequer bills, (except such clauses as charge the same on the taxes granted by the said act, or limit the rate of interest) extended to the loans, &c. to be made in pursuance of this act. Principal and interest, with charges, to be paid out of the next supplies, and if sufficient supplies be not granted before July 5, 1783, then to be paid out of the sinking fund; and the monies so issued to be replaced out of the first supplies. The bank empowered to advance, on the said credit of loan, any sum not exceeding 1,000,000 l.

C A P. LXXVII.

An act to render valid and effectual certain articles of agreement between the mayor and commonalty and citizens of the city of London, governors of the possessions, revenues, and goods, of the hospitals of Edward King of England the Sixth, of Christ, Bridewell, and Saint Thomas the Apostle, and of the hospitals of Henry the Eighth, King of England, called The House of the Poor, in West Smithfield, near London, and of the house and hospital called Bethelam, and the presidents, treasurers, and acting governors, of the said several hospitals.

Preamble.

WHEREAS divers disputes and differences have arisen between the mayor and commonalty and citizens of the city of London, governors of the possessions, revenues, and goods, of the hospitals of Edward King of England the Sixth, of Christ, Bridewell, and Saint Thomas the Apostle, and of the hospitals of Henry the Eighth, King of England, called The House of the Poor, in West Smithfield, near London, and of the house and hospital called Bethelam, and the presidents, treasurers, and acting governors, of the said several hospitals, touching their respective rights, powers, and privileges, in the ordering, management, government and disposition of the said hospitals, and the estates, possessions, and revenues thereof: and whereas several persons, deputed by the said mayor and commonalty and citizens of the city of London, have had several meetings with persons deputed by the said presidents, treasurers, and acting governors, for the purpose of settling and terminating the several matters in dispute between them; and in consequence of such meetings, and of the resolutions of a court of common council of the city of London, and also of general courts held for the said respective hospitals, the said mayor and commonalty and citizens, and the said presidents, treasurers, and acting governors, have respectively entered into and executed an agreement in the words, or to the purport and effect following; (that is to say),

Articles of agreement.

ARTICLES of AGREEMENT made, concluded, and agreed upon, between the mayor, and commonalty and citizens of the city of London, governors of the possessions, revenues, and goods, of the hospitals of Edward King of England the Sixth, of Christ, Bridewell, and Saint Thomas the Apostle, by virtue of an order or resolution of a court of common council, holden the thirtieth day of May, in the year of our Lord one thousand seven hundred and eighty-two, of the one part; and the right honourable Thomas Harley alderman of London president, and John Darker esquire treasurer, of Saint Bartholomew's Hospital; Robert Alsop esquire alderman of London president, and Thomas Burfoot esquire treasurer, of Christ's Hospital; Richard Clark esquire alderman of London treasurer of Bridewell and Bethelam Hospitals; Samuel Plumbe esquire alderman of London president, and Edward Jefferies esquire treasurer, of Saint Thomas's Hof-

Hospital; and the feveral other perfons now acting as governors of the faid feveral hofpitals refpectively, who, in behalf of themfelves and others acting as governors as aforefaid, have hereunto fet their hant and feals, by virtue of certain orders made at feveral general courts of the faid hofpitals refpectively; videlicet, of Saint Bartholomew's Hofpital the twelfth day of June, of Chrift's Hofpital the thirteenth day of June, of Bridewell and Bethelém Hofpitals the fourteenth day of June, and of Saint Thomas's Hofpital the faid twelfth day of June, in the year of our Lord one thoufand feven hundred and eighty-two aforefaid, of the other part.

WHEREAS the ordering, management, and government of the faid hofpitals, and of each and every of them, and the feveral rights, revenues, and poffeffions thereof refpectively, were vefted in the faid mayor and commonalty and citizens of the city of *London*, and their fucceffors, by feveral charters or letters patent of the late Kings *Henry* the Eighth and *Edward* the Sixth, bearing date refpectively the thirteenth day of *January*, in the thirty-eighth year of the reign of King *Henry* the Eighth, and twenty-fixth day of *June*, in the fixth year of the reign of King *Edward* the Sixth, with fuch powers, rights, and privileges, to fuch ufes and purpofes, and fubject to fuch reftrictions, limitations, and trufte, as in the faid charters or letters patent are expreffed and contained: and whereas the faid mayor and commonalty and citizens of the faid city of *London*, in purfuance and by virtue of fuch charters or letters patent, took upon themfelves the management and government of the faid feveral hofpitals, and made feveral orders and regulations touching the fame: and whereas, at a general court holden at *Chrift's Hofpital*, upon the twenty-feventh day of *September*, one thoufand five hundred and fifty-feven, by the governors of all the faid hofpitals, it was ordered and agreed, That the faid hofpital of *Saint Bartholomew* fhould from thenceforth be united to the reft of the faid hofpitals, and be made one body with them; and that for the government of all the faid hofpitals, fir *Martin Bowes* knight (then an alderman of the city of *London*) fhould be comptroller general, and fir *Andrew Judde* knight (then alfo an alderman) fhould be furveyor general, and that three aldermen, a treafurer, and eight other citizens therein named and defcribed, fhould be governors for each and every of the faid hofpitals, and fuch hofpitals refpectively from thenceforth continued under the fame kind of management, with a fmall increafe of governors, down to the year one thoufand five hundred and fixty-four, when, upon the twenty-frft day of *September* in that year (being *Saint Matthew's* day), a prefident, treafurer, and other governors, were chofen at *Chrift's Hofpital* for each of the faid hofpitals: and thefe elections upon *Saint Matthew's* day were continued annually, down to the year one thoufand five hundred and eighty-feven; and from that period courts were at feveral times held at *Chrift's Hofpital*, down to the year one thoufand fix hundred and fifty-two inclusive, for electing or

con-

confirming governors of the said hospitals respectively, but not yearly, or in the same regular manner as thencefore; and courts were also held during that period, at and for the said hospitals, for nominating or electing governors of those hospitals respectively, and for the management thereof; and from and after that time, it does not appear that such annual elections on *Saint Matthew's* day were kept up or observed at *Christ's Hospital*, for nominating or electing governors of the said hospitals respectively, save only for confirmation of the governors elected at the said hospitals; but it appears that the governors of the said hospitals of *Saint Bartholomew*, *Christ*, *Bridewell*, and *Bethlem* respectively, have been chosen at general courts or committees holden at the said hospitals, from and after the said year of our Lord one thousand six hundred and fifty-two, down to the present time: and whereas it also appears by ancient records or entries, and otherwise, that lists of the governors chosen for the said hospitals of *Saint Bartholomew*, *Bridewell*, and *Bethlem*, and *Saint Thomas*, have been annually sent from those hospitals to *Christ's Hospital* previous to the meeting of the said governors on *Saint Matthew's* day for confirmation, and that such lists have constantly been delivered to the clerk of *Christ's Hospital*, and by him, together with a list of governors of *Christ's Hospital*, presented to the lord mayor of the city of *London* for the time being, and by his lordship immediately delivered over, or directed to be delivered over, yearly and every year, at that time and place, to the town clerk of the same city attending his lordship on those meetings, in the presence of the aldermen, or great part of them, without making any objection to, or attempting to alter in any respect the annual lists of governors so delivered, or that mode of confirmation; which practice or usage hath been continued as to all the said hospitals to the present time, save and except that the presidents, treasurers, governors, and officers of the said several hospitals were for some years appointed by certain commissioners authorized by his late majesty King *Charles* the Second, for the regulation of the said hospitals: and whereas great benefit has been derived to the charitable institutions of the said hospitals from such mode of managing and conducting the same, and from the voluntary contributions, grants, bequests, and donations of the several persons so elected governors as aforesaid, and others: and whereas disputes have arisen between the said mayor and commonalty and citizens, and the persons acting as governors of the said hospitals, touching their respective rights, powers, and privileges, in the ordering, management, government, and disposition of the said hospitals, and the estates, possessions, and revenues thereof: and it is conceived to be for the mutual benefit of the said mayor and commonalty and citizens, and of the said hospitals, that all such disputes should cease, and be finally and amicably settled, adjusted, and terminated, and that the actual ordering, management, and government of the said hospitals respectively shall for ever hereafter be continued in the mayor and aldermen

aldermen of the said city, together with the other persons now acting as governors, or hereafter to be elected as such, in the usual mode of election of governors at the said respective hospitals, and such of the commoners of the said city as shall be elected and chosen in the manner hereafter to be hereby directed, with such powers, rights, and privileges, to such uses and purposes, and under and subject to such restrictions and trusts, as are in the said charters or letters patent, and herein-after in these articles, expressed and contained: now therefore these presents witness, that, in order to effectuate the salutary purposes herein-before mentioned, it is hereby mutually and fully agreed and declared by and between the said parties to these presents, in manner following; (that is to say),

First, That the governors of the said several hospitals of *Saint Bartholomew, Bethlehem, Christ, Bridewell, and Saint Thomas the Apostle*, and every of them named in the respective lists, delivered in upon the twenty-first day of *September*, one thousand seven hundred and eighty-one, being *Saint Matthew's day*, at *Christ's Hospital* aforesaid, to the town clerk of the city of *London*, by the order of the lord mayor; and also those governors who have been elected since the delivery of such lists, together with the lord mayor and aldermen of the said city of *London*; and also the members of the said court of common council, to be nominated and appointed as herein-after is mentioned, for the time being, shall be established and confirmed governors of such of the aforesaid hospitals respectively, of which they had been elected governors previous to the delivery of such lists as aforesaid, or have been since the delivery of such lists, or in future shall be elected governors, in such and the same manner, and with such and the same rights, privileges, powers, and authorities, as any governors of the same several hospitals, or any of them, at any time or times since the first establishment or appointment of the annual meetings at *Christ's Hospital* on *Saint Matthew's day*, for the nomination, election, or confirmation of governors of the said hospitals respectively, have, or could, or might, or ought to have had, in the governing, ordering, management, and disposition of the business, affairs, or concerns of the said hospitals respectively, and of the real estates and possessions of every denomination, and of the rents and revenues thereof; and also of all and singular the goods, chattels, and personal estate and effects whatsoever, of or belonging to the same hospitals respectively; and such governors who have been so already elected, and such governors as shall be hereafter elected at general courts or committees to be held for the said hospitals respectively, in such manner as such governors now are or ought to be elected or chosen by the rules and orders now used and established, or hereafter to be used and established, in the said hospitals respectively, together with the lord mayor and aldermen of the city of *London* aforesaid, and the members of the said court of common council for the time being, to be nominated and appointed as herein-after mentioned, shall have good

good right, full power, and abſolute authority, from time to time, and at all times hereafter, to nominate, elect, and appoint, the preſidents, treaſurers, and all other officers and miniſters of and for the ſaid hospitals reſpectively, and to do every other act, matter, and thing, acts, matters, and things, neceſſary or expedient to be done for the good government and conduct of the ſame ſeveral hospitals, and in the management and diſpoſition of the eſtates real and perſonal of the ſame reſpectively, as fully, amply, and effectually, to all intents and purpoſes, as the governors of the ſame hospitals reſpectively have at any time or times heretofore acted in or about the government, management, and diſpoſition of the ſame, or in anywiſe relating thereto, without the lawful ſuit, hindrance, denial, interruption, moleſtation, or diſturbance, of or by any perſon or perſons, bodies politick or corporate whomſoever or whatſoever.

Second article. *Secondly;* That at all times hereafter, when and ſo often as it ſhall or may be neceſſary or expedient for the mayor, aldermen, and other governors of the ſaid hospitals reſpectively, acting and to act as aforeſaid, to proſecute, carry on or defend any ſuit or ſuits, diſtreſs or diſtreſſes, ejectment or ejectments, or other acts or proceedings either at law or in equity, touching or concerning all or any of the poſſeſſions, rights, titles, or revenues of the ſame hospitals, or any of them, it ſhall and may be lawful for the lord mayor, aldermen, and other governors of the ſaid hospitals reſpectively, acting or to act as aforeſaid, from time to time, and at all times hereafter, on all ſuch occaſions, and for all or any of the purpoſes aforeſaid, to uſe and aſſume the names, ſtile, and title of the mayor and commonalty and citizens of the city of *London*, as governors of the houſe of the poor commonly called *Saint Bartholomew's Hospital* near *Weſt Smithfield, London*, of the foundation of King *Henry* the Eighth; and as maſters, guardians, and governors of the houſe and hospital called *Bethlehem*, ſituate without and near to *Biſhopsgate*, of the ſaid city of *London*; and as governors of the poſſeſſions, revenues, and goods, of the hospitals of *Edward* late King of *England* the Sixth, of *Chriſt*, *Bridewell*, and *Saint Thomas the Apoſtle*, or of ſuch of the ſaid hospitals reſpectively, touching or concerning which, or the rights, title, poſſeſſions, or revenues whereof, ſuch ſuit or ſuits, diſtreſs or diſtreſſes, or other acts or proceedings as aforeſaid, ſhall or may be commenced, made, or proſecuted; and that in all caſes whatſoever wherein the name, ſtile, or title, of the mayor and commonalty and citizens of the ſaid city ſhould be ſo uſed or aſſumed for any of the uſes or purpoſes aforeſaid, the coſts, charges, damages, and expences, which ſhall be incurred and ſuſtained by reaſon or means of ſuch ſuit or ſuits, diſtreſs or diſtreſſes, ſhall be borne, paid, and diſburſed, by the treaſurer for the time being of the ſaid hospitals reſpectively, concerning which, or the eſtates, revenues, or poſſeſſions whereof, ſuch ſuit or ſuits, diſtreſs or diſtreſſes, ſhall be brought, proſecuted, or made, out of the general funds of the ſame hospitals reſpectively, or out of the rents and revenues thereof;

thereof; and that the mayor and commonalty and citizens of the said city, and their respective goods, chattels, and estates, and also the lands, tenements, estates, and possessions, belonging to them in their separate capacity, other than the estates and possessions vested in them for the use and benefit of the said several hospitals, shall be indemnified, protected, and saved harmless, from and against all such costs, damages, and expences, to be incurred as aforesaid: and further, that in case the treasurers of the said hospitals respectively, for or concerning which, or the estates or revenues whereof, such suit or suits shall at any time hereafter be brought and prosecuted, or such distress or distresses shall be made, shall refuse or neglect to make such payments as aforesaid; and the mayor and commonalty and citizens, and his or their respective estates, or the estates or revenues which they enjoy in their corporate capacity, other than the estates and revenues vested in them for the benefit of the said hospitals respectively, shall become charged with the payment of such costs, charges, damages, and expences, as aforesaid; that then and in such case, and as often as it shall so happen, it shall and may be lawful to and for the said mayor and commonalty and citizens of the said city to enter into and upon any of the said lands, tenements, hereditaments, and revenues, belonging to any of the said hospitals, in respect of which any such actions or suits shall be brought, and whereof the legal interest is become vested in them under or by virtue of the several charters granted to them by King *Henry* the Eighth and *Edward* the Sixth, or either of them, and to hold and enjoy the same, and receive and take the rents and profits thereof, until the sum for which they or their estates shall become so charged shall be fully paid and satisfied, and no longer.

Thirdly, That the seal of or belonging to the aforesaid hospitals shall be restored to the chamber of the said city of *London*, and be kept as heretofore by the chamberlain of the same city for the time being, in a purse or box sealed with the seals of the lord mayor of the said city for the time being, and any of the aldermen of the same city who shall be present at any time or times that the same seal shall be used; and that all leases which shall at any time or times hereafter be made or granted of any of the lands, tenements, or hereditaments, of or belonging to the aforesaid several hospitals, or any of them, and all and every other deeds, presentations, and other instruments whatsoever relating to or concerning the same hospitals, or the estates, revenues, and possessions thereof respectively, (after the same shall have been examined, approved, and signed, by the presidents or treasurers, and such a competent number of the aldermen and other governors of such of the said respective hospitals, to which such leases, deeds, or instruments, shall relate or concern, as have been used and accustomed to examine, approve, and sign the same, shall be left at the chamberlain's office aforesaid, for the aforesaid seal of the said hospitals to be affixed thereto, with such docquet or writing explaining the purport of such

Third article.

leases, deeds, or instruments, so to be left at the said office, in such manner and form as heretofore was and has been used and accustomed in that behalf, and the same leases and writings so to be left as aforesaid), shall thereupon be sealed with the said seal of the aforesaid hospitals in the next court of aldermen or of common council, whichever shall first happen, without any reading, addition, examination, or alteration of the same.

Fourth article. *Fourthly*, That the said court of common council shall or may, at their first court to be held after the twenty-first day of *December* now next ensuing, or at any subsequent court, nominate and appoint forty-eight persons (being members of the court of common council of the said city), out of which number the names of twelve shall be sent to *Saint Bartholomew's Hospital*, twelve to the united hospitals of *Bridewell* and *Bechelem*, twelve to *Christ's Hospital*, and twelve to *Saint Thomas Hospital*, to be governors thereof respectively; and that such names shall be entered in the books of the said hospitals, and in the lists of the governors thereof respectively, in the order in which they shall be so sent; and they and every of them shall from thenceforth be governors of the said respective hospitals, and shall act as such in all matters relative to the said hospitals respectively, for so long time, and for so many years successively, as they respectively shall continue to be members of the said court of common council, or shall be re-elected as such members of the said court; and they, and each and every of them, shall have and enjoy the like privileges, benefits, and advantages, which the other governors of the said hospitals (not being aldermen) have had and enjoyed, or now enjoy; and that when and as often as any one or more of the said twelve members of the said court of common council, whose names shall be sent to any or either of the said hospitals as aforesaid, shall die, or cease to be a member or members of the said court of common council, or shall not be re-elected into such office, the said court of common council shall and may nominate and appoint another person, or other persons, being a member or members of the said court, in the place or stead of him or them so dying, or ceasing to be of the common council, or who shall not be re-elected; and so and in like manner, when and as often as any new governor, to be nominated and sent to any of the said hospitals as aforesaid, shall die, or cease to be a member of the said court of common council, and shall not be re-elected into such office, the said court of common council shall or may nominate and appoint another person or other persons, being a member or members of the said court, in the place or stead of the governor or governors last mentioned, and shall and may in like manner fill up all future vacancies which shall happen, so as that twelve members of the said court of common council, and no more, so nominated and sent to the said several hospitals as aforesaid, may for the time being, and for ever hereafter, be governors in each of the said hospitals of *Saint Bartholomew*, *Christ*, and *Saint Thomas the Apostle*; and also that twelve members of the said common council.

council may be governors of the said united hospitals of *Bridewell* and *Bethlehem*; and all and every the person and persons from time to time to be chosen by the said court of common council, upon any such vacancy as aforesaid, (after his or their name or names shall be sent to the said hospital or hospitals where such vacancy or vacancies respectively shall happen), shall or may act as governors of the same hospitals respectively, and be entitled to the like privileges and advantages as the governors first to be chosen and sent by the said common council as aforesaid.

Provided, That nothing herein contained shall prejudice the rights of such members of the court of common council as now are governors of any of the said hospitals, or shall hereafter become so, by election or nomination of the governors of such hospital, in the manner heretofore used and accustomed, over and besides the twelve members of the said court who shall be governors by virtue of this agreement.

And, *lastly*, for removing all doubts touching the observance and performance of this agreement, and of the matters and things herein contained, by all the parties hereto, and their successors, it is hereby further agreed by and between all the parties aforesaid, That this present agreement, and all and every the matters and things herein contained, shall be humbly submitted to the consideration and confirmation of the legislature, so as that the same may, under the present application to parliament for a bill *for establishing and confirming the present governors of the respective hospitals of Saint Bartholomew, Bethlehem, Christ, Bridewell, and Saint Thomas the Apostle, of royal foundation, in the exercise and enjoyment of all such acts, powers, and privileges, relating to the said hospitals, and the estates and revenues thereof, as are therein expressed, and for the other purposes therein mentioned*; or otherwise, be established and confirmed by the authority of an act of parliament, with such saving clause as is usual in cases of the like nature, if the legislature shall so think fit.

In witness whereof, to one part of these articles, the said mayor and commonalty and citizens of the said city, as such governors as aforesaid, have caused their common seal, used for the estates and concerns of the said hospitals, to be affixed: and to the other part thereof the said *Thomas Harley, John Darker, Robert Alsop, Thomas Burfoot, Richard Clarke, Samuel Plumbe, and Edward Jefferies*, esquires, and the several other persons now acting as such governors, as aforesaid, whose hands and seals are hereunto set on behalf of themselves and others acting as such governors, have severally and respectively set their hands and seals the fifteenth day of *June*, in the year of our Lord one thousand seven hundred and eighty-two.

And whereas it is conceived, that it will be greatly for the benefit of the aforesaid several royal hospitals, and tend to restore and establish the permanent peace and good government of the same respectively, if the said

agreement could be confirmed and rendered valid and effectual; but inasmuch as the same cannot be done without the aid and authority of an act of parliament, your Majesty's most dutiful and loyal subjects, the mayor and commonalty and citizens of London, governors of the possessions, revenues, and goods, of the aforesaid hospitals, and the presidents, treasurers, and acting governors of the said several royal hospitals respectively, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said articles of agreement, dated the fifteenth day of June, one thousand seven hundred and eighty-two, and herein-before set forth, and all and every the covenants, clauses, provisos, stipulations, and agreements therein contained, shall be, and the same are hereby ratified, confirmed, and established, according to the tenor, purport, and true intent and meaning of the same.

The said articles of agreement are hereby confirmed and established.

The articles to extend to St. Bartholomew's and Bethlem hospitals.

II. And be it further enacted by the authority aforesaid, That, for rendering the said articles of agreement more effectual for the several purposes therein mentioned, the said mayor and commonalty and citizens of the said city of *London*, and all other the parties thereto, shall observe and perform the several matters and things therein contained, not only as governors of the possessions, revenues, and goods, of the hospitals of *Edward King of England the Sixth, of Christ, Bridewell, and Saint Thomas the Apostle*, but also as governors of the house of the poor in *West Smithfield near London*, of the foundation of *King Henry the Eighth*, and as masters, keepers, and governors, of the aforesaid house and hospital called *Bethlem*, as fully and effectually, to all intents and purposes, as if the said mayor and commonalty and citizens had been described in the said articles of agreement by the respective corporate names herein-before mentioned.

Publick act.

III. And be it further enacted by the authority aforesaid, That this act shall be taken and allowed to be a publick act in all courts within the kingdom of *Great Britain*; and all judges and justices of the peace are hereby required to take notice thereof as such, without specially pleading the same.

General saving.

IV. Saving always to the King's most excellent majesty, his heirs and successors, and to the mayor and commonalty and citizens of the said city of *London*, and to all and every other person and persons, bodies politick and corporate, his, her, and their heirs, successors, executors, and administrators, all such estate, right, title, interest, property, claim or demand whatsoever, which they or any of them had, claimed, exercised, or enjoyed, before the passing of this act, except only as to such rights, interests, and claims, of the said mayor and commonalty and citizens of the said city of *London*, and of the persons now and heretofore acting as governors of the said hospitals respectively, as are given up, altered, modified, and taken away, by virtue of this act, or of the agreement above recited, and by this act confirmed.

. C A P. LXXVIII.

An act to permit drugs, the product of Hungary or Germany, to be imported from the Austrian Netherlands, or any part of Germany, upon payment of the single duty; to allow the importation of Hungary or German wines, and organzined thrown silk, from the Austrian Netherlands, or any part of Germany, into Great Britain, and of timber, and other goods, from any part of Europe, in ships the property of subjects under the same sovereign as the country of which the goods are the growth, produce, or manufacture.

WHEREAS by an act of parliament, made in the eighth and ninth years of the reign of King William the Third, intituled, An act for the lessening the duty upon tin and pewter exported, and granting an equivalent for the same by a duty upon drugs, after reciting, That whereas by an act, made in the twelfth year of the late King Charles the Second, intituled, A subsidy granted to the King of tonnage and poundage, and other sums of money payable upon merchandizes exported and imported, it was provided, That all drugs imported directly from the place of their growth in English built shipping, be rated one third part of what is charged in the book of rates, and no more, it was, amongst other things, enacted, That the subsidy to be received for all drugs, imported directly from the place of their growth in English built shipping, shall be according to the full value on the respective species enumerated in the book of rates, and not according to the said abatement; and for all drugs otherwise imported, to be such full value: and whereas drugs of the growth, product, or manufacture of Hungary and Germany, have heretofore been usually imported from Rotterdam, upon payment of the single duty; and it is expedient to permit such drugs to be imported in like manner from the Austrian Netherlands, or any port in Germany: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twenty-fifth day of July, one thousand seven hundred and eighty-two, all drugs of the growth, production, or manufacture of Hungary or Germany, which shall be laden and shipped at any port or place in the Austrian Netherlands, or at any port in Germany, and imported from thence in British built shipping into this kingdom, shall be deemed and taken to be imported directly from the place of their growth, production, or manufacture, and shall be liable to and pay duties accordingly; any thing in the said recited act, or any other act or acts of parliament, to the contrary notwithstanding.

Preamble.

Recital of 8 & 9 Gul. 3. c. 34.

From July 25, 1782, all drugs, the product of Hungary or Germany, may be imported from the Austrian Netherlands, &c. on payment of the single duty.

• II. And it is hereby further enacted by the authority aforesaid, That, from and after the said twenty-fifth day of July, one thousand seven hundred and eighty-two, it shall and may be

Duties to be paid on the importation of wine, or law-

organzined
thrown ſilk,
from the ma-
ny, &c. being
the product of
the imperial
dominions.

lawful for any perſon or perſons to import any wines, or any organzined thrown ſilk, being the growth, product, or manufacture, of *Hungary*, the *Auſtrian* dominions, or any part of *Germany*, into *Great Britain*, from the *Auſtrian Netherlands*, or from any port or place ſubject to the emperor of *Germany*, or houſe of *Auſtria*, upon payment of the ſame duties for ſuch wine as are due and payable for *Rheniſh* wine, and the ſame duties for ſuch organzined thrown ſilk as are due and payable for the like ſilk imported into this kingdom from *Italy*; any law, cuſtom, or uſage, to the contrary notwithstanding.

Recital of the
navigation act,
12 Cal. 2. c. 18.

III. *And whereas by an act of parliament, made in the twelfth year of the reign of King Charles the Second, intituled, An act for the encouraging and increaſing of ſhipping and navigation, it is, amongſt other things, enacted, That no goods or commodities of the growth, production, or manufacture of Muſcovy, or to any the countries, dominions, or territories, to the great duke or emperor of Muſcovy or Ruſſia belonging; as alſo that no ſorts of maſts, timber, or boards, no foreign ſalt, pitch, tar, roſin, hemp, or flax, raiſins, figs, prunes, olive oils; no ſorts of corn or grain, ſugar, pot-aſhes, wines, vinegar, or ſpirits called Aqua Vitæ, or Brandy Wine, ſhall be imported into England, Ireland, Wales, or town of Berwick upon Tweed, in any ſhip or ſhips, veſſel or veſſels whatſoever, but ſuch as do truly, and without fraud, belong to the people thereof, or ſome of them, as the true owners and proprietors thereof, and whereof the maſter and three fourths of the mariners at leaſt are Engliſh; except only ſuch foreign ſhips and veſſels as are of the built of that country or place of which the ſaid goods are the growth, production, or manufacture reſpectively, or of ſuch port where the ſaid goods can only be, or moſt uſually are, firſt ſhips, for transportation, and whereof the maſter and three fourths of the mariners at leaſt are of the ſaid country or place, under the penalty and forfeiture of ſhip and goods: and whereas by another act, made in the ſixth year of the reign of his late*

6 Geo. 1. c. 15.

majeſty King George the Firſt, intituled, An act to repeal ſo much of the act, intituled, An act for preventing frauds and regulating abuſes in his Majeſty's cuſtoms, paſſed in the thirteenth and fourteenth years of King Charles the Second, as relates to the prohibiting the importation of deal boards and fir timber from Germany, it is, amongſt other things, enacted, That it ſhall and may be lawful to and for any of his Majeſty's ſubjects to import any quantity or quantities of fir timber, fir plunks, maſts, and deal boards, being of the growth of Germany, into this kingdom, from any port or place in Germany, in Britiſh built ſhips only, ſo as the owner or owners are his Majeſty's Britiſh ſubjects, and whereof the maſter and three fourths of the mariners at leaſt are Britiſh ſubjects, paying the like rates and duties to his Majeſty for the ſame as are payable for fir timber, fir plunks, maſts, and deal boards, imported from Norway; now, in order to encourage and promote the importation of timber, and ſeveral of the other articles enumerated in the ſaid acts, into this kingdom; be it further enacted by the authority aforeſaid, That, from and after the ſaid twenty-fifth day of July, one thouſand ſeven hundred and eighty-two, it ſhall and may

From July 25,
1782, timber,
&c. may be

be

be lawful for any perſon or perſons to import into *Great Britain* any ſort of timber, or any of the ſaid articles enumerated in the before recited acts, from any foreign port or place in *Europe*, in any ſhip or veſſel being the property of ſubjects under the ſame ſovereign as the country of which ſuch goods are the growth, product, or manufacture, although the country or place where ſuch ſhip or veſſel was built, or to which ſhe doth or may belong, was not under the dominion of ſuch ſovereign at the time of paſſing the herein-before recited act, made in the twelfth year of the reign of King *Charles* the Second; any thing in the ſaid recited acts, or any other act, to the contrary notwithstanding.

IV. Provided always, That all ſuch goods and merchandizes ſo imported into *Great Britain*, in ſuch foreign built ſhips, or the property of foreigners, ſhall be liable to aliens and all other duties to which they would have been liable if this act had not been made.

imported in foreign built ſhips, under certain reſtrictions;

but ſhall be ſubject to aliens' duties.

C A P. LXXIX.

An act for the encouragement and diſcipling of ſuch corps or companies of men as ſhall voluntarily enrol themſelves for defence of their towns or coaſts, or for the general defence of the kingdom, during the preſent war.

WHEREAS the utmoſt exertions are now requiſite for increaſing the military force in this kingdom, be it therefore enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That any corps or companies of volunteers, who now are or ſhall hereafter be formed, in any towns or elſewhere in *Great Britain*, during the continuance of the preſent war, under officers having commiſſion from his Majeſty, or from the lieutenants of counties, or others who may be ſpecially authorized by his Majeſty for that purpoſe, and who ſhall at any time, in caſe of actual invaſion or rebellion, march out of their reſpective towns or counties for the purpoſe of acting againſt any rebels or invaders of this kingdom, ſhall, in that caſe, be intitled to receive pay in ſuch manner and at ſuch rates as the officers and ſoldiers of his Majeſty's regular forces do now receive; and ſhall, during the time of their ſo receiving pay as above, be ſubject to military diſcipline as the reſt of his Majeſty's regular and militia troops.

Preamble.

All volunteer corps, who, in caſe of invaſion or rebellion, ſhall march out of their reſpective towns or counties, ſhall be intitled to receive pay as regulars, &c.

II. Provided always, That no officer or ſoldier of any volunteer corps ſhall be liable to be tried or puniſhed by any court martial at any time, unleſs ſuch court martial be compoſed entirely of officers ſerving in the volunteer corps, if a ſufficient number can be obtained to conſtitute ſuch court martial.

Courts martial, for trial of volunteers, to be compoſed of volunteer officers.

III. And be it further enacted by the authority aforeſaid, That all commiſſioned officers of the ſaid corps, who ſhall be diſabled by the enemy in actual ſervice, ſhall be intitled to half pay, and

Commiffioned officers diſabled, intitled to half pay, all &c.

all non-commissioned officers and soldiers so disabled to the benefit of *Chelfea Hospital*, and the widows of commissioned officers killed in the service to a pension for life.

C A P. LXXX.

An act to vest certain messuages, lands, tenements, and hereditaments, in trustees, for the better securing his Majesty's docks, ships, and stores, at Portsmouth and Chatham.

For the better securing his Majesty's docks, ships of war and stores, it is necessary to enlarge and strengthen the fortifications at or near Portsmouth and Chatham, and in order thereunto to purchase certain pieces of land, and tenements thereunto belonging, near Portsmouth, in the county of Southampton, containing about five hundred and twenty-seven acres, one rood and thirty-three perches. And certain other pieces of land, and tenements thereunto belonging, situate in or near Frindsbury, in the county of Kent, containing about three hundred and sixty six acres, two roods and thirty perches. And certain other pieces of land, and tenements thereunto belonging, in the parish of Gillingham, in the said county, containing about one hundred and ninety three acres, one rood and twenty perches. And certain other pieces of land, and tenements thereunto belonging, situate in the parish of Chatham, in the said county, containing about four acres, one rood and twenty four perches; being part of the lands comprized in the act of 20 Geo. 3. c. 49. vested in the right honourable Charles Wolfran Cornwall, Jervoise Clerk Jervoise, Robert Thistlethwaite, the honourable Charles Masham, and Filmer Honywood, esquires, their heirs, &c. in trust for the respective owners till the purchase money, with interest at 5l. per cent. from the time of taking possession, be paid. Reasonable compensation to be made to the proprietors out of the next parliamentary aids. His Majesty empowered, by letters patent under the great seal, to appoint commissioners to determine claims to the said lands, &c. and any five or more may proceed, upon the oath of witnesses, inspection of deeds, &c. and if the parties require it, by the inquest of twelve men, to enquire into the rights, estates, and interests of any persons, &c. relating to the premises, and to have power to send for persons, deeds, &c. Judgements and decrees of commissioners to be entered in books, &c. Copies thereof to be laid before both houses of parliament. Commissioners to issue their warrants to sheriffs to summon juries; who are to inquire into the value of lands, &c. Penalty on sheriffs or their officers making default; not more than 20l. nor less than 10l. and also on jurors, not more than 10l. for each offence. To be estreated into the court of exchequer. In case a sufficient jury shall not appear upon return of the warrant, commissioners may adjourn the inquest, and issue their warrant for summoning other jurors in room of defaulters. Commissioners, after the inquest shall be taken, may adjourn, &c. Commissioners to give 14 days notice previous to their respective meetings. If owners make default in appearing, &c. the commissioners to determine upon the best information they can get, which is to be final. On payment of the sums assessed by the jury, &c. trustees to be deemed seised of the premises, for the use of his Majesty. Pumps, wells, &c. to be free. No private building to be erected upon any lands vested by this act. Damages assessed to be paid out of the next aids granted by parliament. Buildings erected contrary to this act to be pulled down. Lands to be purchased in pursuance of this act shall be liable to the usual tithes and taxes. To be paid by the storekeeper of the ordnance. Commissioners not liable to the penalties in the acts of 25 Car. 2. c. 2. 1 W. & M. c. 8. 13 & 14 W. 3. c. 6. nor 1 Geo. 1. c. 13. Commissioners not disqualified from being members of parliament.

C A P. LXXXI.

An act for the better regulation of the office of paymaſter general of his Maſteſty's forces.

WHEREAS it appears, by the reports made by the commiſſioners appointed to examine, take, and ſtate the publick accounts of the kingdom, that the paymaſters of the forces have heretofore been accuſtomed to accumulate large ſums of publick money in their hands, beyond what was neceſſary for carrying on the ſervices in their department, and to take and carry out of office with them, upon their reſignation or removal, large balances of publick money, which they have retained and kept in their hands many years after being out of office: and whereas it is highly expedient that a remedy ſhould be provided for theſe inconveniences; be it therefore enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of January, one thouſand ſeven hundred and eighty-three, the paymaſter general of his Maſteſty's forces for the time being, in all memorials to be by him preſented to the treaſury for money for army ſervices, ſhall pray that ſuch ſum as he requires may be iſſued to the governor and company of the bank of England on his account, ſpecifying, in every ſuch memorial, the ſum he requires, and for what particular ſervice or ſervices; and the commiſſioners of his Maſteſty's treaſury for the time being, by their letter from time to time ſhall direct the auditor of the exchequer to iſſue to the governor and company of the bank of England, on account of the paymaſter general of his Maſteſty's forces, naming ſuch paymaſter general for the time being, the ſum for which ſuch letter ſhall be drawn upon the unſatisfied order at the exchequer in favour of the ſaid paymaſter general, for which the receipt of the caſhier or caſhiers of the ſaid governor and company ſhall be a ſufficient diſcharge; and all ſums for which ſuch letters of the commiſſioners of his Maſteſty's treaſury ſhall be drawn, ſhall be iſſued to the governor and company of the bank of England, in like manner as they have been heretofore iſſued to the paymaſter general of his Maſteſty's forces; and all ſuch monies ſo to be iſſued to the governor and company of the bank of England, ſhall be placed to an account to be raiſed in the books of the governor and company of the ſaid bank of England, and to be intitled, *The Account of the Paymaſter General of his Maſteſty's Forces*; inserting the name of ſuch paymaſter general for the time being.

Preamble.

From Jan. 1, 1783, all money iſſued at the exchequer, for army ſervices, ſhall be paid into the bank, and placed to the account of the paymaſter general.

II. And be it enacted, That no fees whatſoever ſhall be paid at the exchequer or treaſury for or by reaſon of the tranſactions aforeſaid, beyond the amount of what hath uſually been paid upon impreſts and accounts hitherto made, according to the former

No fees more than uſual ſhall be paid at the exchequer, &c.

former custom of tranſacting buſineſs between the exchequer; pay office, and bank ſeverally.

From Jan. 1, 1783, no money ſhall be iſſued from the exchequer to the paymaſter general.

III. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of *January*, one thouſand ſeven hundred and eighty-three, no money for the ſervice of the army ſhall be iſſued from his Maſteſty's exchequer to the paymaſter general of his Maſteſty's forces, or ſhall be placed, or directed to be placed, in his hands or poſſeſſion, but the ſame ſhall be iſſued and directed to be paid to the governor and company of the bank of *England*, and to be placed to the account above-mentioned.

Paymaſter to draw on the bank for army ſervices.

IV. And be it further enacted by the authority aforeſaid, That the paymaſter general of his Maſteſty's forces for the time being, by himſelf or his deputy, or the perſon or perſons in his office duly authoriſed by the ſaid paymaſter general, from and after the ſaid firſt day of *January*, one thouſand ſeven hundred and eighty-three, ſhall draw upon the governor and company of the bank of *England* for all army ſervices whatever, and ſhall ſpecify in each and every draft the particular ſervice for which the ſame is drawn; and no draft of the ſaid paymaſter, or his deputy, or the perſon or perſons authorized as aforeſaid, ſhall be deemed a ſufficient voucher to the ſaid governor and company of the bank of *England*, unleſs the ſame ſpecifies the ſervice for which it is drawn, and has been actually paid by the ſaid governor and company of the bank of *England*.

The monies iſſued to the bank not to be paid there-out, unleſs for army ſervices.

V. And be it further enacted by the authority aforeſaid, That the monies ſo to be iſſued to the governor and company of the bank of *England*, on account of the paymaſter general of his Maſteſty's forces, ſhall not be paid out of the bank unleſs for the army ſervices, and in purſuance of drafts or cheque paper, to be drawn on the governor and company of the bank of *England*, and ſigned by the paymaſter general of his Maſteſty's forces for the time being, or his deputy, or the perſon or perſons authorized as aforeſaid; in which drafts ſhall be ſpecified the heads of ſervice to which the ſums therein mentioned are to be applied; and which drafts ſo drawn ſhall be ſufficient authority to the bank to pay ſuch money to the perſons mentioned in ſuch drafts, or to the bearer of them.

VI. And that the commiſſioners of his Maſteſty's treasury may have a frequent knowledge of the balance of caſh in the hands of the governor and company of the bank of *England*, on account of the paymaſter general of his Maſteſty's forces, in order to enable them to judge of the propriety and neceſſity of further iſſues, and to prevent the unneceſſary accumulation of publick money in the hands of the governor and company of the bank of *England*, be it enacted by the authority aforeſaid, That, from and after the firſt day of *January*, one thouſand ſeven hundred and eighty-three, in the firſt memorial preſented every month to the commiſſioners of his Maſteſty's treasury, by the paymaſter general of his Maſteſty's forces for the time being, for a ſupply of money for the army ſervices, ſuch

Clause to prevent an unneceſſary accumulation of publick money in the bank.

ſuch paymaſter ſhall inſert, in the body of ſuch memorial, the ſum total of the balance of publick money on his account in the hands of the governor and company of the bank of *England*, together with an account of all the outſtanding drafts drawn upon, but not paid by the ſaid governor and company of the bank of *England*.

VII. And be it further enacted by the authority aforeſaid, That upon the death, reſignation, or removal, of the preſent, and of every other paymaſter of his Maſteſty's forces hereafter to be appointed, the balance of caſh for which he ſhall at that time have credit, on his account as paymaſter general, with the governor and company of the bank of *England*, ſhall, as ſoon as a ſucceſſor ſhall be appointed to the ſaid office, actually veſt in ſuch ſucceſſor, in truſt for the ſervice of the army, and be forthwith transferred, carried over, and placed to the account of ſuch ſucceſſor paymaſter general of his Maſteſty's forces, and ſhall and may be applied, by ſuch ſucceſſing paymaſter, to pay and diſcharge all charges and demands upon his predeceſſor, on account of the army ſervices, which ſhall at that time remain and be unſatisfied, and ſhall and may be paid by the ſaid governor and company of the bank of *England*, in purſuance of the like drafts or cheque paper of ſuch ſucceſſing paymaſter, in manner above-mentioned, and not otherwiſe.

Upon the death or removal of a paymaſter, the balance of caſh he ſhall have credit for in his account, ſhall be transferred to the account of his ſucceſſor.

VIII. And be it further enacted by the authority aforeſaid, That, from and after the ſaid firſt day of *January*, one thouſand ſeven hundred and eighty-three, the paymaſter general of his Maſteſty's forces for the time being ſhall keep the account with the bank of all monies iſſued to or directed to be paid to him for the ſervice of the army: and the ſaid paymaſter general, obſerving the rules and regulations hereby preſcribed, ſhall not be anſwerable for any money which he ſhall not actually receive; and the governor and company of the bank of *England* ſhall be anſwerable for all the monies which ſhall be actually received by them for the ſervice of the army.

Paymaſter to keep an account with the bank, &c.

IX. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall, from and after the ſaid firſt day of *January*, one thouſand ſeven hundred and eighty-three, knowingly and wilfully forge or counterfeit, or cauſe or procure to be forged or counterfeited, or knowingly and wilfully act or aſſiſt in forging or counterfeiting the name or hand of the paymaſter general of his Maſteſty's forces for the time being, or of his deputy, to any draft, cheque paper, inſtrument, or writing whatſoever, for or in order to the receiving or obtaining any of the money in the hands or cuſtody of the governor and company of the bank of *England*, on account of the paymaſter general of his Maſteſty's forces; or ſhall forge or counterfeit, or cauſe or procure to be forged or counterfeited, or knowingly and wilfully act or aſſiſt in forging or counterfeiting, any draft, cheque paper, inſtrument, or writing in form of a draft, made by ſuch paymaſter general of his Maſteſty's forces, or his deputy;

Any perſon who ſhall forge the name of the paymaſter, to obtain money from the bank, ſhall ſuffer death as a felon.

ty; or ſhall utter or publiſh any ſuch, knowing the ſame to be forged or counterfeited, with intention to defraud any perſon whatſoever; every ſuch perſon and perſons ſo offending (being thereof lawfully convicted) ſhall be, and is and are hereby declared and adjudged to be guilty of felony, and ſhall ſuffer death as in caſes of felony, without benefit of clergy.

Books of account in the paymaſter's office ſhall be held to belong to the ſame.

X. And be it enacted, That all books of accounts whatſoever, kept in the office of paymaſter general, ſhall be held to belong to the ſaid office, and ſhall not be at the diſpoſal of the paymaſter general to take and diſpoſe of the ſame as his private and proper books of account: provided that nothing herein ſhall extend to prevent any perſon or perſons who hath or have exerciſed the office of paymaſter general, or his or their executors or adminiſtrators, by himſelf or themſelves, or by any perſon or perſons authorized by him or them, from taking copies or extracts thereof, until an acquittance in the exchequer ſhall be made out for every ſeveral paymaſter, his heirs, executors, and adminiſtrators.

All fees payable at the paymaſter's office to be carried to a fund.

Application of that fund.

XI. And whereas it appears from the reports of the commiſſioners for examining, taking, and ſtating the publick accounts of the kingdom, that the ſalaries, fees, and emoluments, received by ſeveral of the officers and clerks employed in the office of paymaſter general of his Maſteſty's forces, have, of late years, amounted to ſums beyond a reaſonable and adequate compensation for their reſpective ſervices; be it therefore enacted, That, from and after the tenth day of October, one thouſand ſeven hundred and eighty-two, all fees, hitherto payable at the office of the ſaid paymaſter general, ſhall be depoſited in the hands of the caſhier of the ſaid office, or others authorized by the paymaſter general, in order to form a fund, from which a reaſonable augmentation to the ſalaries and appointments of the ſeveral officers and clerks ſhall be made, if it ſhall be found expedient; as alſo ſuch further compensation as the increaſe of buſineſs in the office, from time to time, ſhall require; and the remainder ſhall be paid to the treaſurer or vice-treaſurer of *Chelſea Hoſpital*, towards a fund for an augmentation to the half-pay of officers who have been or ſhall be maimed or grievouſly wounded in his Maſteſty's land ſervice; or as an augmentation to the penſions of widows; or as penſions to the children of ſuch officers as have been killed in the ſaid land ſervice, as his Maſteſty ſhall direct and appoint.

Augmentation of ſalaries not to be more than once a year.

XII. And be it enacted, That the ſaid augmentation to the ſalaries and appointments of officers and clerks in the pay office ſhall (but not more frequently than once in each year) be regulated by the ſaid paymaſter general, by and with the concurrence of the commiſſioners of the treaſury, and his Maſteſty's approbation obtained thereon, and not otherwiſe.

Savings in the clothing of in-

XIII. And whereas a conſiderable annual ſum of money is or may be ſaved from the allowance for clothing of certain invalid and independent companies, a large part of which ſaving is or may be rendered permanent; be it hereby enacted, That all ſums ſaved from the ſaid

ſaid allowance, or brought in account in conſequence of any ſavings to be made in the adminiſtration of the ſaid hoſpital, ſhall be applied to the fund abovementioned; provided that no addition to half-pay in conſequence of maims or wounds, or penſions to widows whoſe huſbands have or ſhall have been killed in his Majeſty's ſervice, ſhall exceed twenty-five pounds a year; nor ſhall the allowance to a ſingle child of an officer killed exceed twenty pounds a year, nor be continued longer (if a male) than to twenty-five years of age, or until he be provided for in his Majeſty's ſervice; or if more children are left, the ſhare of each child ſhall not exceed twelve pounds a year, to be continued to the males as aforeſaid, and no otherwiſe.

valid compa-
nies, &c. how
to be applied.

XIV. Provided always, and be it enacted by the authority aforeſaid, That nothing in this act contained ſhall be conſtrued to deprive the paymaſter general of the uſual allowance for clerks and contingencies, or ſuch as his Majeſty ſhall hereafter be pleaſed, from time to time, to direct and appoint, and to adminiſter and apply the ſame according to the uſual courſe of office.

Not to de-
prive the pay-
maſter of the
uſual allow-
ance for
clerks, &c.

XV. And it is hereby enacted, That copies of the amount of the ſaid allowance be depoſited in the bank of *England*, the pay office, and the treaſury, together with a liſt of all the officers, clerks, and ſervants, to the office of the ſaid paymaſter general belonging.

Copies of ſuch
allowance to
be depoſited in
the bank, &c.

XVI. And be it further enacted by the authority aforeſaid, That, from and after the firſt day of *January*, one thouſand ſeven hundred and eighty-three, no fee, perquiſite, emolument, or reward whatſoever (other than and except the ſalaries and allowances herein-before mentioned) ſhall be taken, in the ſaid office, for any buſineſs, matter, or thing to be done therein; and that if any perſon belonging, or who ſhall hereafter belong, to the ſaid office, ſhall, on any pretence whatſoever, preſume to take or accept any fee, perquiſite, emolument, or reward, (other than and except as aforeſaid) every ſuch perſon ſhall forfeit his office or employment.

Officers tak-
ing fees to
forfeit their
office.

XVII. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to take away, diminiſh, or alter the power of the paymaſter general of his Majeſty's forces to appoint, remove, or change at his pleaſure, all or any of the officers and clerks employed in his ſaid office, or with the conſent and approbation of the commiſſioners of the treaſury, or any three of them, ſignified in writing, to increaſe the number of ſuch clerks, in caſe the circumſtances of the buſineſs of the ſaid office ſhould render ſuch an increaſe neceſſary; which ſaid additional officers and clerks ſhall, upon their reſpective appointments, become intitled to the like ſalaries as are herein-before directed to be paid to the officers and clerks in a ſimilar rank and ſtation in the ſaid office, and ſhall be ſubject to all the rules, regulations, proviſions, pains, and penalties, to which

Not to take
away the
power of the
paymaſter of
removing of-
ficers employ-
ed in his of-
fice, &c.

the

the officers and clerks now existing in the said office are made liable by this act.

XVIII. *And, for the better prevention of the issuing from the exchequer of any more monies than the services of the army do actually require,* be it enacted, That, from and after the first day of January, one thousand seven hundred and eighty-three, the secretary at war shall, on or before the fifteenth day of every month, return into the office of the paymaster general of his Majesty's land forces an account of the effective commissioned and non-commissioned officers and private men of his Majesty's regular forces and militia serving in Great Britain, according to the last returns from the adjutant general into the office of the said secretary at war, distinguishing each corps severally; and the said secretary at war shall, and he is hereby directed and required, to form, or cause to be formed monthly, an estimate of the monies which may be necessary for the recruiting of the said regiments, troops, and companies severally, and to transmit the same, together with the said account of effective officers and privates, to the offices of the secretary at war, and of the paymaster general of the land forces.

After Jan. 1, 1783, the secretary at war to return into the paymaster's office, monthly, an account of the effective officers and men, regulars and militia, serving in Great Britain.

From January 1, 1783, debentures to be made out for pay of the forces according to the number borne on the muster-rolls.

Agents to bring to the paymaster's office an account of the musters, &c.

XIX. *And whereas it has been the usual practice, for many years last past, for his Majesty's warrants to be sent to the paymaster general of his forces, directing him to make out debentures complete for the full pay of the several regiments, troops, and companies, according to their respective establishments, instead of the former method of sending warrants to him to make out debentures for the pay of the several regiments, troops, and companies, according to the numbers borne on their respective muster-rolls, which latter method appears to be better suited to exact account, and to the prevention of increase of balances any where;* be it enacted by the authority aforesaid, That, from and after the first day of January, one thousand seven hundred and eighty-three, debentures shall be made out for the pay of the several regiments, troops, and companies, according to the numbers borne on their muster-rolls, and not otherwise.

XX. And be it enacted, That the army or regimental agents shall, and they are hereby required to bring to the office of the said paymaster general, within ten days after every muster, an account of the muster of their regiments severally, and of the money actually paid for subsistence and for recruiting, distinguishing each service, together with an account of the balances remaining in their hands severally at the time of each muster.

on forfeiture of 100l.

XXI. And be it enacted, That for every failure in any of the before-mentioned particulars, the said army agent or agents shall forfeit one hundred pounds, to be recovered by any person or persons who shall sue for the same.

C A P. LXXXII.

An act for enabling his Maſteſty to diſcharge the debt contracted upon his civil liſt revenues; and for preventing the ſame from being in arrear for the future, by regulating the mode of payments out of the ſaid revenues, and by ſuppreſſing or regulating certain offices therein mentioned, which are now paid out of the revenues of the civil liſt.

WHEREAS his Maſteſty, from his paternal regard to the welfare of his faithful people, from his deſire to diſcharge the debt on his civil liſt, without any new burthen to the publick, for preventing the growth of a like debt for the future, as well as for introducing a better order and œconomy in the civil liſt eſtabliſhments, and for the better ſecurity of the liberty and independency of parliament, has been pleaſed to order, that the office commonly called or known by the name of Third Secretary of State, or Secretary of State for the Colonies; the office or eſtabliſhment commonly known by the name and deſcription of The Board of Trade and Plantations; the offices of lords of police in Scotland; the principal officers of the board of works; the principal officers of the great wardrobe; the principal officers of the jewel office; the treaſurer of the chamber; the coſſerer of the houſhold; the offices of the fix clerks of the board of green cloth; the office of paymaſter of the penſions; the office of maſter of the harriers and fox hounds; and alſo the office of maſter of the ſtag hounds, ſhould be ſuppreſſed: wherefore, for carrying his Maſteſty's ſaid gracious order into execution, may it pleaſe your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the paſſing of this act, the office commonly called or known by the name of Third Secretary of State, or Secretary of State for the Colonies; the office or eſtabliſhment commonly called The Board of Trade and Plantations; the offices of the lords and gentlemen of police in Scotland; the principal officers of the board of works; the principal officers of the great wardrobe; the principal officers of the jewel office; the treaſurer of the chamber; the coſſerer of the houſehold; the offices of the fix clerks of the board of green cloth; the office of paymaſter of the penſions; the offices of the maſter of the harriers, the maſter of the fox hounds, and the maſter of the ſtag hounds; and all and every of the offices aforeſaid, together with certain of the offices dependent on or connected with the ſame, of which a liſt ſhall be entered in the exchequer, by certificate from the lords commiſſioners of the treasury, on or before the tenth day of October, one thouſand ſeven hundred and eighty-two, (which liſt the ſaid lords commiſſioners are hereby directed to cauſe to be entered as aforeſaid), ſhall be, and are hereby utterly ſuppreſſed, aboliſhed, and taken away.

Preamble.

From the paſſing of this act, certain offices, hereſpecified, ſhall be ſuppreſſed

Any ſimilar
office here-
after eſtabliſh-
ed, ſhall be
deemed a new
office.

II. And it is hereby further enacted and declared by the authority aforeſaid, That if any office of the ſame name, nature, deſcription, or purpoſe, of thoſe hereby aboliſhed, ſhall be eſtabliſhed hereafter, the ſame is and ſhall be deemed and taken as a new office, to all conſtructions, intents, and purpoſes whatſoever.

Commifſion-
ers of the
treafury to
pay all money
due on the
civil liſt on
or before
July 20, 1781.

III. And, for the neceſſary payment of perſons hitherto paid in any of the offices by this act ſuppreſſed, and the execution of the duty done or performed by the ſame; be it enacted by the authority aforeſaid, That the commiſſioners of his Maſteſty's treafury ſhall be, and they are hereby authorized and required to iſſue and pay, or cauſe to be iſſued and paid, all ſuch ſum or ſums of money as are or ſhall be due and owing to any perſon or perſons, on account of his Maſteſty's civil government, on or before the twentieth day of July, one thouſand ſeven hundred and eighty-two, in the ſame manner, and by the perſons who have laſt held the offices by or under which the ſame have been uſually iſſued and paid, or by ſuch perſons as the commiſſioners of the treafury ſhall appoint and direct to pay the ſame.

Directions for
carrying into
execution an
economical
plan, purſu-
ant to his
Maſteſty's gra-
cious inten-
tions.

IV. And whereas a new and economical plan is intended to be adopted and take place, purſuant to his Maſteſty's gracious intentions, be it therefore enacted, That the commiſſioners of the treafury ſhall be, and they are hereby authorized and required to direct ſuch perſon or perſons as they ſhall think moſt fit and capable, to prepare, make up, and lay before them, for their approbation, methods accommodated to the ſeveral reforms and alterations in this act made, and to appoint or continue in office ſuch officers as they ſhall judge moſt fit and proper for carrying ſuch plans into execution, under the direction of the lord ſteward, lord chamberlain, maſter of the horſe, and any other principal officer, to whom the ſaid officers ſhall ſeverally be ſubordinate; and the ſaid lord ſteward, lord chamberlain, maſter of the horſe, and ſuch other principal officer, ſhall regularly, within the ſpace of fifteen days after each and every quarter day, make out, or cauſe to be made out, an eſtimate of all the ſeveral articles of expence of his Maſteſty's civil government, within their diſtinct departments; which ſhall, after being inſpected, and approved by the ſaid lord ſteward, lord chamberlain, maſter of the horſe, and ſuch other principal officer, be preſented to the ſaid commiſſioners of the treafury; and which eſtimate of expence ſhall not be exceeded (except as is herein-after excepted and ſpecially provided for) above five thouſand pounds, in any of thoſe departments in any one year, without ſufficient reaſons, to be produced to the ſaid commiſſioners of the treafury, for increaſing the ſame; and upon the expiration of the quarter, the ſaid commiſſioners of the treafury ſhall direct ſo much of the monies of the civil liſt revenues to be iſſued at the receipt of the exchequer to the ſaid lord ſteward, lord chamberlain, maſter of the horſe, or ſuch other principal officer, or to any perſon or perſons appointed for that purpoſe by the ſaid lord ſteward, lord chamberlain, maſter of the horſe, or ſuch other principal officer,

car, with the consent and approbation of the commissioners of the treasury, as shall be sufficient to satisfy and pay the whole of the expence incurred in such quarter, which shall be by him distributed to and among the several persons who shall be intitled to receive the same.

V. And be it enacted and declared, That the abolition of the office of the clerks of the green cloth shall not extend, or be construed to extend, to take away, or in any respect to derogate from the jurisdiction which may now be lawfully exercised by the court commonly called *The Court of Virge*, or *The Green Cloth*, but that the same may be held and exercised; and it is hereby enacted, That the same shall be held and exercised, with all the accustomed lawful jurisdiction, powers, and privileges belonging to the same, without any of the clerks of the green cloth, whose office is by this act taken away; any statute, law, or usage, to the contrary notwithstanding.

The court of virge, with all its lawful jurisdiction and powers, preserved.

VI. And be it enacted by the authority aforesaid, That all his Majesty's buildings which have been hitherto under the management of the board of works, shall be under the direction of some one person, who shall be constituted and appointed by his Majesty, during his royal pleasure, surveyor or comptroller of his Majesty's works, (the said surveyor or comptroller being *bona fide* by profession an architect or builder), with such officers and clerks under him as his Majesty shall from time to time direct and appoint.

His Majesty's buildings to be under the direction of a surveyor or comptroller to be appointed by his Majesty.

VII. And be it enacted, That all the royal gardens shall be under the direction of a person who shall be appointed by his Majesty, during his Majesty's pleasure, surveyor or comptroller of the King's gardens, with such gardeners and others under him, as his Majesty shall authorize and appoint, (the said surveyor of gardens, in like manner, being by profession a gardener, or improver of grounds): and the said surveyors or comptrollers of his Majesty's works or gardens, or either of them, during the holding of the said offices, shall be, and they are hereby declared to be, incapable of being elected into, or of sitting and voting in parliament.

The royal gardens to be under the direction of a surveyor or comptroller, to be appointed by his Majesty.

VIII. And be it enacted by the authority aforesaid, That the following rule and method shall hereafter be observed, with regard to all works which might heretofore have been done by the board of works, for his Majesty's service; (that is to say), that if his Majesty shall order any new building, work, or repair, the expence of which shall exceed the sum of one thousand pounds, the plan (if in such works a plan shall be usual) and an estimate of the expence of the same, shall be laid before the lord chamberlain; and if the said estimate shall appear reasonable, reference being had to the works ordered as aforesaid by his Majesty, the same shall be by him certified to the commissioners of the treasury; and if the said commissioners approve of the said estimate, they may and shall (if his Majesty, by warrant under his Majesty's royal sign manual, shall so direct) authorize the said surveyor or architect to execute the same;

Directions relative to the execution of new buildings or repairs.

and if the estimate of the said work shall be likely to exceed the sum of five thousand pounds in the whole, the said commissioners of the treasury may and shall direct the said surveyor to contract for the execution of the said work; and, so often as it shall appear expedient to the said surveyor or comptroller of buildings, or that he shall receive orders from the lord chamberlain for that purpose, he may and shall report upon and controul the execution of the said work in all its parts, and at all times during the progress thereof: provided always, That it shall not be lawful for the said surveyor, architect, or builder, to make any contract as aforesaid conclusively, until the same shall be approved by the commissioners of the treasury, nor to make any addition to the expence exceeding one thousand pounds above the plan or estimate, until the same shall be approved by the said commissioners of the treasury.

Commissioners of the treasury, before payment for any such works, may order the same to be surveyed.

IX. And be it enacted, That if, on complaint made to the commissioners of the treasury, or if otherwise they shall see cause, it shall and may be lawful, before any payment upon account of any works as aforesaid be made, for the commissioners of the treasury to order the said work to be surveyed by a builder of credit not concerned in any of the publick works; who shall be called in, and allowed one pound *per* day for his trouble, and shall certify to the said commissioners of the treasury, upon oath, (which oath the said commissioners are hereby authorized and required to administer), that the work hath been executed, as far as the same hath proceeded, in a workmanlike and durable manner, and with good and durable materials: and in case the said commissioners of the treasury shall not be satisfied with the expence or goodness of the works, they shall, and are hereby authorized to make such delay or abatement as, on such their enquiry, shall appear just and expedient; any thing in this act contained, or any law or usage, to the contrary notwithstanding.

Where expences shall be under 1,000*l.* vouchers to be produced to the lord chamberlain.

X. And be it enacted by the authority aforesaid, That in all works, the expence whereof shall be under one thousand pound, the said surveyor shall, previous to his receiving any payment, produce vouchers of his expences actually made, together with the grounds and reasons for his having incurred the said expences, to the said lord chamberlain, who (if he shall approve the same) shall certify the whole of the charge to the treasury from time to time for payment.

Clerks, &c. in the royal palaces, to be paid monthly.

XI. And be it enacted, That the said lord chamberlain shall keep an account of all clerks and workmen constantly or ordinarily employed in the royal palaces, and shall, once in every month, certify to the treasury their numbers and wages, in order that a monthly payment may be made to them.

No new works in his Majesty's parks, &c. above a limited sum, to be under-

XII. And be it enacted by the authority aforesaid, That no new works in his Majesty's parks or gardens, the expence of which may exceed in the whole five hundred pounds above the ordinary charge, (an account of which ordinary charge is hereby directed to be laid quarterly before the commissioners of the treasury),

treasury), shall be undertaken or performed without an order taken without an order from his Majesty. under his Majesty's sign manual, and without an estimate approved and ordered to be executed by the said commissioners of the treasury, who shall issue, or cause to be issued, the money for the execution of the same, as well as for the said ordinary charge; which is hereby directed to be paid once a month to the surveyor of his Majesty's gardens.

XIII. And be it hereby enacted by the authority aforesaid, That the furniture, pictures, plate, and all other moveables whatsoever, formerly under the care and management of the office of great wardrobe, or other wardrobe or jewel office, or any of them, shall be hereafter committed to the care and management of the lord chamberlain.

XIV. And it is hereby enacted and provided, That whenever his Majesty shall be pleased to order, for the use of any of his Majesty's palaces, or for any other house, any of such furniture or goods as were formerly under the direction of the office of great wardrobe, or any such other work to be done as formerly was done by or under the direction of the said wardrobe, the same shall be done and executed (so far as regards the previous estimate and subsequent controul and account) in the manner by this act directed for works undertaken by the surveyor of the buildings.

XV. And be it enacted by the authority aforesaid, That the duty and business done, or which might legally be done, by the late commissioners of trade and plantations, and all authorities, powers, and jurisdictions, given to the said commissioners, by any act or acts of parliament, may and shall be held and exercised under the former directions and trusts by any committee or committees of his Majesty's privy council, which his Majesty shall be pleased to direct and appoint, during his royal pleasure, without any salary, fee, or pension, to the members thereof, for holding and exercising the same.

XVI. And be it further enacted by the authority aforesaid, That all sums of publick money, that now are in the disposition or under the management of the lords of trade and police in Scotland, be, and the same are hereby directed to be under the management and in the disposal of the convention of royal burghs in Scotland, with the same powers, and under the same limitations and trusts, by which the same now are or may be disposed and managed.

XVII. And, for the better regulation of the granting of pensions, and the prevention of abuse or excess therein, be it enacted, That, from and after the fifth day of April, one thousand seven hundred and eighty-three, no pension exceeding the sum of three hundred pounds a year, shall be granted to or for the use of any one person; and that the whole amount of the pensions granted in any one year, shall not exceed six hundred pounds; a list of which, together with the names of the persons to whom the same are granted, shall be laid before parliament in twenty days after the beginning of each session, until the whole pension

Furniture, plate, &c. to be under the management of the lord chamberlain.

Work formerly under the direction of the great wardrobe, how to be executed.

The business heretofore done by the board of trade, to be executed by a committee of the privy council.

Publick money under the management of the lords of trade and police in Scotland, to be under the management of the convention of royal burghs.

Regulations relative to granting of pensions.

liſt ſhall be reduced to ninety thouſand pounds; which ſum it ſhall not be lawful to exceed by more than five thouſand pounds in the whole of all the grants: nor ſhall any penſion, to be granted after the ſaid reduction, to or for the uſe of any one perſon, exceed the ſum of one thouſand two hundred pounds yearly, except to his Maſteſty's royal family, or on an addreſs of either houſe of parliament.

Not to extend to perſons who have ſerved the crown in foreign courts.

XVIII. *And whereas it hath been uſual that perſons who have ſerved the crown in foreign courts have, after the expiration of their ſervice, at his Maſteſty's pleaſure, received ſuch proportion of their former appointments as to his Maſteſty hath ſeemed expedient*; be it enacted, That nothing in this act contained relative to penſions, ſhall be conſtrued to extend to ſuch allowance, either in preſent or in future; provided the ſaid perſons do not ſeverally enjoy ſome place or other profit from the crown, to the amount of the penſion uſually allowed in ſuch caſes; provided that the liſt of the ſaid penſions ſhall be laid, in the manner before mentioned, before parliament.

All penſions on the civil liſt to be paid at the exchequer.

XIX. *And whereas much conſuſion and expence did ariſe from having penſions paid at various places, and by various perſons; and a cuſtom hath prevailed of granting penſions on a private liſt during his Maſteſty's pleaſure, upon a ſuppoſition that in ſome caſes it may not be expedient for the publick good to divulge the names of the perſons in the ſaid liſt, or that it may be diſagreeable to the perſons receiving ſuch payments to have it known that their diſtreſſes are ſo relieved, or for ſaving the expence of fees and taxes on ſmall penſions; by means of which ſaid uſage, ſecret and dangerous corruption may hereafter be praſtitized: and whereas it is no diſparagement for any perſons to be relieved by the royal bounty in their diſtreſs, or for their deſert, but, on the contrary, it is honourable, on juſt cauſe, to be thought worthy of reward*: be it therefore enacted by the authority aforeſaid, That no penſion whatſoever, on the civil eſtabliſhment, ſhall hereafter be paid but at the exchequer, and in the ſame manner as thoſe penſions which are now paid and entered at the exchequer, under the head, title, and deſcription of *Penſions*, and with the name of the perſon to whom, or in truſt for whom, the ſaid penſion is granted; and that thoſe which are transferred thither by this act ſhall be ſubject to no taxes or fees whatſoever, except the taxes and fees to which before this act they were ſubject; any ſtatute, law, or uſage, to the contrary notwithstanding: nor ſhall any penſion hereafter to be granted be charged at the exchequer with further or other fees than were heretofore paid on penſions to the paymaſter of the penſions.

Proviſo.

XX. Provided, That nothing herein contained ſhall reſtrain, or be conſtrued to reſtrain, the high treaſurer, or firſt commiſſioner of the treaſury, for the time being, by his Maſteſty's conſent, from taking away, or cauſing to be taken away, from the private liſt or liſts of penſions, the names and penſions of any perſon or perſons which at preſent are entered on the ſaid private liſt or liſts, or any of them.

High treaſurer, &c. may

XXI. Provided alſo, That it ſhall and may be lawful for the high

high treasurer, or first commissioner of the treasury for the time being, to return into the exchequer any pension or annuity, without the name of the person to whom the same is payable, on taking an oath before the barons of the exchequer, or one baron of the exchequer, or before the curfitor baron, in the form following :

return into the exchequer any pension, without the name of the pensioner, on taking the following oath ;

I A. B. do swear, That, according to the best of my knowledge, belief, and information, the pension or pensions, or annuity or annuities, returned without a name by me into the exchequer, is or are not, directly or indirectly, for the benefit, use, or behoof of any member of the house of commons, or, so far as I am concerned, applicable, directly or indirectly, to the purpose of supporting or procuring an interest in any place returning members to parliament.

So help me GOD.

XXII. And it is hereby enacted, That on taking the said oath, the pension or pensions, annuity or annuities aforesaid, shall be paid at the exchequer to the order of the high treasurer, or first commissioner of the treasury, for the time being, and his receipt shall be accepted and taken as an acquittance for the same.

which pension, &c. shall be paid to his order.

XXIII. Provided further, and be it enacted, That if any such secret pension shall continue in the said list for more than five years, the high treasurer, or first commissioner of the treasury, or one of the secretaries, or one of the chief clerks of the treasury, for the time being, shall make oath, before such pension shall be paid at the exchequer, that he does believe that the person for whose use the said pension or annuity hath been granted is living.

Oath to be taken when any secret pension shall continue in the list more than five years.

XXIV. And, for preventing as much as may be all abuses in the disposal of monies issued under the head of secret service money, or money for special service ; be it enacted by the authority aforesaid, That it shall not be lawful to issue or imprest from the exchequer, or order to be paid by a treasury warrant, or under sign manual, or otherwise, to any secretary or secretaries of the treasury, or to any other person or persons whatsoever, from the civil list revenues, for the purpose of secret service within this kingdom, any sum or sums of money which in the whole shall exceed the sum of ten thousand pounds in any one year.

Payment of secret service money restricted.

XXV. And be it enacted by the authority aforesaid, That when it shall be deemed expedient by the commissioners of his Majesty's treasury, or the high treasurer, for the time being, to issue, or in any manner to direct the payment of any sum or sums of money from the civil list revenues, for foreign secret service, the same shall be issued and paid to one of his Majesty's principal secretaries of state, or to the first commissioner of the admiralty ; and the said secretary or secretaries of state, or first commissioner of the admiralty, shall, for his discharge at the exchequer, within three years from the issuing the said money,

Clause relative to foreign secret service money.

produce

produce the receipt of his Majesty's minister, commissioner, or consul, in foreign parts, or of any commander in chief or other commander of his Majesty's navy or land forces, to whom the said money shall have been sent or given, that the same hath been received for the purpose for which the same hath been issued; which said receipt shall, and is hereby directed to be filed in the exchequer, in order to charge the said minister, commissioner, consul, or commander of his Majesty's land or sea forces, with the same; and the said receipt, on proof of the hand writing, shall be sufficient to acquit and discharge the said secretary or secretaries, or first commissioner of the admiralty, in their said account at the exchequer.

Foreign ministers, &c. to account for such money within a year after their arrival in Great Britain.

XXVI. And be it enacted, That any foreign minister, consul, or commander of his Majesty's land or sea forces, who shall stand charged at the exchequer for or by reason of any secret service money by him received, shall stand discharged and acquitted thereof, if, within one year after his arrival in *Great Britain*, he shall either return the said money into the exchequer, or make oath before the barons of the exchequer, or one of them, in the form following:

I A. B. do swear, That I have disbursed the money, intrusted to me for foreign secret service, faithfully, according to the intent and purpose for which it was given, according to my best judgement, for his Majesty's services.

So help me GOD.

Secretaries of state, &c. making payment of any secret service money, shall be sworn as to the disposal thereof.

XXVII. Provided always, That whenever it shall be necessary for the principal secretary or secretaries of state, or first commissioner of the admiralty, to make payment of any money issued for foreign secret service, or for secret service in detecting, preventing, or defeating, treasonable or other dangerous conspiracies against the state in any place within this kingdom, then it shall be sufficient to acquit and discharge the said secretary or secretaries, or first commissioner of the admiralty, for such secretary or secretaries, or the under secretary of state in the office to which such secret service money hath been paid, or for the first commissioner of the admiralty, or the secretary of the admiralty, to make oath, before the barons of the exchequer, or one of them, or before the curfitor baron, in the form following:

The oath.

I A. B. do swear, That the money paid to me for foreign secret service, or for secret service in detecting, preventing, or defeating, treasonable, or other dangerous conspiracies against the state, [mutatis mutandis, as the case may be], has been bona fide applied to the said purpose or purposes, and to no other; and that it hath not appeared to me convenient to the state that the same should be paid abroad.

So help me GOD.

XXVIII. And

XXVIII. *And, to avoid all confusion in accounts relative to the said secret service, be it enacted by the authority aforesaid, That the certain stated sums of money now paid to his Majesty's principal secretaries of state, under the name of secret service money, but which are commonly reputed and employed as part of the salary of the said office, be no longer entered or paid under that description or for that account; but the same, for so long as his Majesty shall please to continue the whole or any part thereof, shall be given under the name of salary, fee, or allowance: and that hereafter no certain or stated sum be given or allowed for the said secret service out of his Majesty's civil list revenues; but, when any monies for secret service shall be deemed necessary by the commissioners of his Majesty's treasury, the same shall be issued, by their direction, to the officer or officers aforesaid, as the occasion shall require, according as is herein-before directed and provided.*

No stated sum to be allowed for secret service money.

XXIX. *And be it enacted, That whenever any sum or sums of money shall be issued for the purpose of any special service, or shall be given without provision of annual or other stated payment, but in a gross sum or sums, as to any secretary or secretaries of the treasury, or others, to be paid over to or for the use of any person or persons for special service, or as of royal bounty, the said sum or sums of money, together with the special service or services, or as royal bounty, to which the same is or are applied, as also the name of the person or persons to whom the said money for service or of bounty as aforesaid is paid, shall be entered in a book to be kept for that purpose in the treasury, in order to be produced to either house of parliament, if required.*

Sums issued for any special service, &c. to be entered in a book.

XXX. *And, for the better prevention of all practice by which such grants as of bounty may be made a colour under which pensions may be substantially granted, contrary to the true intent and meaning of this act, it is hereby enacted, That any sum or sums of money so given as of royal bounty, to any person more than once in three years, the same is and shall be reputed a pension or pensions to all intents and purposes whatsoever.*

Grants of royal bounty, when to be reputed pensions.

XXXI. *And whereas the establishment of an invariable order in the payment of salaries and other charges on the civil list, will enable those who have the charge thereof the better to provide for the several services to which the said civil list revenues ought to be applied, and will be the means to prevent the incurring of debt for the future, and the following order seems just and equitable for that purpose; that is to say, first, the pensions and allowances of the royal family; secondly, the payment of the salaries of the lord high chancellor of Great Britain, lord keeper or lords commissioners of the great seal, the speaker of the house of commons, and judges of the courts of King's bench and common pleas, and barons of the exchequer, the chief justice of Chester, and the justices of the courts of great session in the principality of Wales; thirdly, the salaries of the ministers to foreign courts, being resident at the said courts; fourthly, the approved bills of all tradesmen, artificers, and labourers, for any articles supplied,*

The payments
of the civil
liſt revenues
to be divided
into regular
clafſes.

or work done, for his Maſteſty's ſervice; fifthly, *The menial ſervants in his Maſteſty's houſehold*; ſixthly, *The penſion liſt, beginning with the ſmalleſt penſions*; ſeventhly, *The ſalaries of all other places payable out of the civil liſt revenues, beginning with the loweſt*; eighthly, *The ſalaries and penſions of the high treaſurer or commiſſioners of the treaſury, and chancellor of the exchequer*; be it further enacted by the authority aforeſaid, That the commiſſioners of the treaſury ſhall, on or before the fifth day of *April*, one thouſand ſeven hundred and eighty-three, draw out a plan of the eſtabliſhments and payments of the ſaid civil liſt revenues in clafſes, according to the order herein mentioned, arranging by eſtimate the expence of each claſs, and of each individual office in each claſs; and that ſuch plan ſhall be ſigned by the ſaid commiſſioners, and depoſited with the clerk of the houſe of commons, on or before the ſaid fifth day of *April*, one thouſand ſeven hundred and eighty-three; and that, from and after the ſaid fifth day of *April*, all ſums of money which ſhall become due and payable out of the ſaid civil liſt revenues, for any of the purpoſes aforeſaid, ſhall be paid in the order and according to the plan herein mentioned.

No penſion,
&c. to be paid
out of courſe.

XXXII. And it is hereby enacted, That it ſhall not be lawful for the commiſſioners of the treaſury to direct the payment of any ſalary or penſion whatſoever, to be made under ſign manual or otherwiſe, until the bills, ſalaries, and penſions of all thoſe who are entitled, according to the foregoing order, are firſt diſcharged, or caſh ſet apart in the exchequer ſufficient to answer the whole demand in the preceding clafſes: provided, that nothing herein contained ſhall extend, or be conſtrued to extend, to prevent the commiſſioners of the treaſury from ordering all occaſional payments, for which warrants are uſually granted at the treaſury, and which are not comprehended in the clafſes and deſcriptions aforeſaid, to be made according to their diſcretion, and as the circumſtances of the caſe may in their judgement require.

Salaries, &c.
in arrears for
two years to
be extinguished.

XXXIII. And be it enacted by the authority aforeſaid, That, from and after the fifth day of *April*, one thouſand ſeven hundred and eighty-three, if any ſalary, fee, or penſion, or any part thereof, ſhall remain in arrear at the uſual time of payment, at the end of a period of two years, from want of caſh belonging to the civil liſt revenue to pay and diſcharge the ſame, the ſaid arrear of ſalary, fee, or penſion, ſhall not be carried as a debt to the account of the year following, but ſhall be wholly laſed and extinguished, as if the ſame had not been payable.

Fees payable
to be diſpoſed
of by the
commiſſioners
of the trea-
ſury.

XXXIV. And whereas it is intended that all ſavings from ſalaries and fees of the offices by this act ſuppreſſed, ſhould be applied in aid of the civil liſt expences, which are neceſſary, and which, by the appropriation hereafter made, are in ſome meaſure ſtrained, be it enacted, That all fees hitherto payable, and by this act not excepted, on any payments within the civil liſt revenues, do ſtill continue to be paid, and remain for the diſpoſal of the commiſſioners of the treaſury.

XXXV. And

XXXV. And be it enacted, That the commissioners of the treasury shall cause a regular book or books to be kept, for the charges of each of the classes and articles aforesaid, distinctly and apart; and it is hereby directed, that the result of payment in the said several books contained shall, in an orderly manner, and according to the usual method in which fair accounts are kept, be entered in a separate book at the end of each year, and the same being opposed to the receipt of the civil list cash, a balance shall be struck upon the whole.

Books to be kept for the charges of each class.

XXXVI. And whereas, upon abolishing the several offices suppressed by this act, sundry persons, who may have held their offices by patent for life, or may have legally, or according to the course of office, purchased the same for a valuable consideration, and may suffer hardship by the suppression thereof: and whereas others, though not within the same description, who have diligently and faithfully executed their several subordinate offices for his Majesty's service, and by such suppression will be reduced to distressed or indigent circumstances; be it enacted by the authority aforesaid, That the commissioners of the treasury may, and they are hereby impowered, to allow to every person severally who holds his office by patent for life, or who has purchased his place in the manner before mentioned, an annuity equal to the legal emoluments of his said office; and also to allow to other persons in the subordinate offices aforesaid, upon examination into the circumstances and behaviour of the said persons, such annuities severally as the commissioners of the treasury shall think equitable and just, for the support and maintenance of such person or persons, until he or they shall be provided for in his Majesty's service, according to his or their abilities and merit.

Provision to be made for persons holding patent places, &c.

XXXVII. And be it further enacted by the authority aforesaid, That whatever is directed by this act to be done or transacted by the commissioners of his Majesty's treasury, may be, and the same is hereby required and directed to be done and transacted by the high treasurer for the time being, or by such commissioners of the treasury for the time being, or any three or more of them; and all powers and authorities whatsoever, by this act granted to the commissioners of his Majesty's treasury, are hereby also declared to be vested in the high treasurer for the time being, and in such commissioners of the treasury for the time being, or any three or more of them.

Powers granted by this act to the commissioners of the treasury, shall be vested in the high treasurer for the time being.

XXXVIII. And whereas there was due and owing on the fifth day of April, one thousand seven hundred and eighty-two, at the receipt of the exchequer, for the expence of his Majesty's civil government, the sum of two hundred ninety-five thousand eight hundred and seventeen pounds, eighteen shillings, and four-pence farthing: and whereas it is expedient, and may facilitate the introduction of a proper economy in the future management of the civil list revenues, that the said sum of two hundred ninety-five thousand eight hundred and seventeen pounds, eighteen shillings, and four-pence farthing, should be paid and discharged with all possible speed, and that the increase of debts on his Majesty's civil establishment should be prevented for the future:

Recital of the civil list debt on April 5, 1782.

Exchequer bills to be made out for payment thereof.

*future: and whereas it hath been resolved, That a sum not exceeding three hundred thousand pounds be raised for paying off and discharging the debts due and owing upon the civil list on the said fifth day of April, one thousand seven hundred and eighty-two: now, to the end that no want or failure may happen or be made in such grant, and the application of the same, and for the better supplying the said sum of three hundred thousand pounds in the most effectual manner for the purposes aforesaid; be it enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners of the treasury, by their warrant or warrants, to direct or cause to be prepared and made at the exchequer any number of exchequer bills, in the same manner, form, or order, and according to the same or like rules or directions, as in and by an act of this present session of parliament, (intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty-two*), are enacted and prescribed concerning the exchequer bills to be made out in pursuance of the said act, and to be made forth for such sum or sums of money as they shall think most proper and convenient, so as all the principal monies to be contained in the said bills, to be made by virtue of this act, do not exceed in the whole the said sum of three hundred thousand pounds.*

All the provisos, &c. relative to exchequer bills in the land tax act of this session, extended to those made in pursuance of this act.

XXXIX. And be it further enacted by the authority aforesaid, That all and every the clauses, provisos, powers, privileges, advantages, penalties, forfeitures, and disabilities, contained in the said act, (intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty-two*), relating to the exchequer bills authorized to be made by the same act, (except such clauses as do charge the same on the taxes granted by the same act, and except such clauses as limit the rate of interest to be paid for the forbearance of money lent on the credit of the said act), shall be applied and extended to the exchequer bills to be made in pursuance of this act, as fully and effectually, to all intents and purposes, as if the said exchequer bills had been originally authorized by the said last-mentioned act, or as if the said several clauses or provisos had been particularly repeated and re-enacted in the body of this present act; and the commissioners of the treasury are hereby authorized and empowered to cause the said exchequer bills, to be made out as aforesaid, to be placed as so much cash in the chests of the respective tellers of the receipt of the exchequer, and to direct the said tellers to issue money for the purposes of this act in lieu thereof.

The said bills to be charged on the aggregate fund.

XL. And be it enacted by the authority aforesaid, That all the exchequer bills which shall be made in pursuance of this act, and all the charges and expences incident to or attending the same, in any manner whatsoever, shall be charged and chargeable upon, and payable out of, the hereditary and temporary revenues, and any other the duties and revenues which do or shall compose

compose the fund commonly called *The Aggregate Fund*; or any of them, (after paying, or reserving fufficient to pay, all such sum and sums of money as have been directed by any former act or acts of parliament to be paid out of the same, except the payments directed thereout by the acts of the first and seventeenth years of his present Majesty's reign), but with preference to all other payments which shall or may be hereafter charged upon or payable out of the said fund.

XXI. And be it enacted by the authority aforesaid, That there shall be regularly set apart and applied, at the receipt of the exchequer, out of the said duties and revenues composing the said fund commonly called *The Aggregate Fund*, the sum of twelve thousand five hundred pounds on each and every quarterly day of payment in the year; (that is to say), The sum of twelve thousand five hundred pounds on the tenth day of *October*; twelve thousand five hundred pounds on the fifth day of *January*; twelve thousand five hundred pounds on the fifth day of *April*; and twelve thousand five hundred pounds on the fifth day of *July*; (the first quarterly payment to be applied and made on the tenth day of *October*, one thousand seven hundred and eighty-two); for and towards paying off, cancelling, and discharging the said exchequer bills, until the whole sum of three hundred thousand pounds, to be raised in manner aforesaid, with the charges attending the same, shall be completely paid off, cancelled, and discharged: and the said sum of twelve thousand five hundred pounds, so to be set apart, issued, and paid each quarter for the purposes aforesaid, shall be deemed, taken, and understood to be in diminution of the respective annuities of eight hundred thousand pounds, and of one hundred thousand pounds, granted to his Majesty out of the said duties and revenues, by the said acts of the first and seventeenth years of his present Majesty's reign, for the support of his Majesty's household, and of the honour and dignity of the crown of *Great Britain*; but in case of the demise of his Majesty (whom God long preserve!) before the whole of the said exchequer bills, amounting to three hundred thousand pounds, be cancelled and discharged, then such of the said bills as shall remain uncanceled shall, from the quarter day next preceding such demise, be charged and chargeable upon, and be paid and payable out of, the hereditary revenues of the crown.

12,500l. to be applied, quarterly, out of the aggregate fund, towards paying off the said bills.

C A P. LXXXIII.

An act for the better relief and employment of the poor.

WHEREAS notwithstanding the many laws now in being for the relief and employment of the poor, and the great sums of money raised for those purposes, their sufferings and distresses are nevertheless very grievous; and, by the incapacity, negligence, or misconduct of overseers, the money raised for the relief of the poor is frequently misapplied, and sometimes expended in defraying the charges of litigations about

Preamble.

Recital of

9 Geo. 1. c. 7.

about settlements indiscreetly and unadvisably carried on: and whereas by a clause in an act, passed in the ninth year of the reign of
George the First, intituled, An act for the amendment of the
laws relating to the settlement, employment, and relief of the
poor, power is given to the churchwardens and overseers, in the man-
ner therein mentioned, to purchase or hire houses, and contract with any
person for the lodging, keeping, maintaining, and employing the poor,
and taking the benefit of their work, labour, and service, for their
maintenance; and, where any parish, town, or township, shall be found
too small, to unite two or more for those purposes, with the consent of
the major part of the parishioners or inhabitants, and the approbation
of a justice of peace; which provisions, from the want of proper regu-
lations and management in the poor houses or workhouses that have been
purchased or hired under the authority of the said act, and for want of
due inspection and controul over the persons who have engaged in
those contracts, have not had the desired effect, but the poor in many
places, instead of finding protection and relief, have been much op-
pressed thereby: for remedy of these grievances and inconveni-
ences, and in order to make better and more effectual provision
for the relief and employment of the poor, and to introduce a
prudent œconomy in the expenditure of the parish money; may it
please your Majesty that it may be enacted; and be it
enacted by the King's most excellent majesty, by and with the
advice and consent of the lords spiritual and temporal, and com-
mons, in this present parliament assembled, and by the autho-
rity of the same, That from and after the twenty-fifth day of
March, which shall be in the year of our Lord one thousand se-
ven hundred and eighty-three, so much of the said clause as re-
spects the maintaining or hiring out the labour of the poor by
contract, within any parish, township, or place, which shall
adopt the provisions of this act, shall be, and is hereby repealed,
and every contract or agreement made in pursuance thereof, for
either of those purposes, shall become, and is hereby declared
to be, null and void.

Part thereof
repealed.

Visitors and
guardians
may make
agreements
for the diet
and clothing,
&c. of persons
sent to the
poor houses

II. Provided nevertheless, and be it further enacted, That it shall and may be lawful for the visitor and guardian, or visitors and guardians, appointed as hereafter mentioned, of any parish, township, or place, or parishes, townships, and places, which shall have adopted the provisions and complied with the requisites of this act, and shall have a visitor appointed, from time to time to make agreements with any person or persons for the diet or cloathing of such poor persons who shall be sent to the house or houses to be provided under the authority of this act, and for the work and labour of such poor persons, so that no such agreement shall be made for any longer time than twelve months, and so that the same shall be, and every such agreement is hereby declared to be, under the strictest inspection and controul of the visitor, guardian, and governor of such poor house, and also of the justices of the peace for the limit where such poor house shall be; two of which justices, upon proof of any abuse, shall have power to dissolve such contract.

III. And

III. And be it further enacted, That whenever two third parts, in number and value, according to the poor rate, of the owners or occupiers of lands, tenements, or hereditaments, within any parish, township, or place, qualified as hereafter mentioned, shall, at any time after the passing this act, at a publick meeting to be holden pursuant to the directions of this act, signify their approbation of the provisions herein contained, and their desire to adopt them, in the form contained in the schedule hereunto annexed, No. I, and shall at such meeting nominate and recommend to the consideration of the justices of the peace of the county, riding, division, district, city, town, or place, where such meeting shall be holden, three able and discreet persons qualified for guardians of the poor for such parish, township, or place, and three other fit and proper persons qualified to be governors of the poor house for such parish, township, or place, and fix the salaries to be paid to such guardian and governor respectively, and shall procure the consent and approbation of two justices of the peace acting for that limit, to such agreement and salaries, by writing under their hands, in the forms contained in the schedule, No. II, and shall cause such agreement to be registered pursuant to the direction of this act; every such parish, township, or place, shall from that time be entitled to all the benefits, privileges, powers, authorities, and advantages, which can arise or be derived from this act.

Conditions on which parishes shall be intitled to the benefits of this act.

IV. And be it further enacted, That where two third parts, in number and value as aforesaid, of the owners or occupiers of lands, tenements, or hereditaments, within two or more parishes, townships, or places, so qualified as aforesaid, shall think fit, with such approbation as aforesaid, signified in like manner under the hands of two justices of the peace, and subscribed at the foot of the said agreement, in the form expressed in the said schedule, No. II, at the end of the form of the said agreement, to unite for the purposes of this act, and shall signify their inclination and desire so to do at a publick meeting holden in each of such parishes, townships, and places, in the manner hereinbefore directed concerning a single parish, in the form contained in the said schedule, No. III, an agreement shall, as soon as conveniently may be after such publick meetings shall have been holden, be entered into by the guardians of the poor of every such parish, township, and place respectively, or the major part of them, in the form or to the effect set forth in the said schedule, No. IV, which agreement shall be binding upon the several parties; and every such agreement shall specify the place where such house or houses shall be situate, and the terms upon which such agreement is made, and shall be entered with the clerk of the peace or town clerk of the county, city, town, or district, in which such parishes, townships, or places, shall be situate, and a copy thereof left with him within three calendar months after the time of making such agreement, in the form or to the effect mentioned in the said schedule, No. V, for which entry every such clerk shall receive one shilling, and no more;

Two or more parishes may unite, with the approbation of two justices, for the purposes of this act.

and from that time every such parish, township, and place, so agreed to be united, shall be entitled to all the benefits, privileges, powers, authorities, and advantages, which can arise or be derived from this act.

Parishes more than 10 miles distant from the poor house excluded.

V. Provided nevertheless, and be it further enacted, That no parish, township, hamlet, or place, which shall be situate more than ten miles from any poor house or workhouse to be provided under the authority of this act, shall be permitted to be united, for the purposes aforesaid, with the parishes, townships, hamlets, and places, which shall establish such poor house or workhouse.

Notice for meetings to be given in the church, &c.

VI. And be it further enacted, That the notice for every publick meeting directed by this act, shall be given in the church or chapel of every such parish, township, or place, on three successive *Sundays* before the time of such meeting, immediately after divine service, or on such of the said *Sundays* as service shall be performed there, and also fixed in writing on such church or chapel door, or if no church or chapel, at some publick place within any such parish, township, or place, where notices of parish business have been usually given, fifteen days at least before the day to be appointed for such meeting, in the form or to the effect mentioned in the said schedule, No. VI; and that no person shall vote at any publick meeting to be holden for the purposes of this act, unless he or she shall be the owner or occupier of lands, tenements, or hereditaments, which shall be assessed to the poor's rates, within such parish, township, or place, after the rate of five pounds *per annum*, at the least; nor shall any such person vote as occupier, unless he or she shall be assessed or pay to such poor's rates: provided always, That in all parishes, townships, or places, wherein there shall not be ten persons possessed of the qualification aforesaid, it shall and may be lawful for every person who shall be assessed, or shall pay to such poor's rates, to vote at every such meeting.

Qualification of voters.

Justices to appoint a guardian for each parish, &c.

VII. And be it further enacted, That it shall and may be lawful for two justices of the peace of the limit where such poor house shall be, or be so agreed to be situated, and they are hereby required, as soon as conveniently may be after such agreement shall have been made as aforesaid, upon application to them by two or more of the persons who shall have signed such agreement, and upon producing the same to them, to appoint one of the persons so recommended to be guardian of the poor for each of such parishes, townships, and places, in the form contained in the said schedule, No. VII, or to that or the like effect; and every such guardian shall attend the monthly meetings hereby directed to be holden, and execute the several powers and authorities given to guardians by this act, and shall have, and is hereby invested with, all the powers and authorities given to overseers of the poor by any other act or acts of parliament, and shall to all intents and purposes, except with regard to the making and collecting of rates, be an overseer of the poor for the parish or township for which he shall be so appointed guardian,

Duty and powers of the guardian.

dian, and shall be liable to such forfeitures and penalties for neglect of duty as overseers of the poor are made liable to by this or any other act of parliament; and all notices or applications directed by this or any other act of parliament to be given or made to the overseers of the poor, with respect to the care and management or removal of the poor, shall be given and made to the guardian of the poor, where any such guardian shall be appointed under the authority of this act; but in case any orders of removal or notices shall happen, by mistake, to be given or sent to the churchwarden or overseer, the same shall be as valid and effectual as if given to the guardian; and such churchwarden or overseer shall, and is hereby required forthwith to deliver the same to the guardian, or shall forfeit forty shillings for his neglect: and in all cases where such guardian of the poor shall be appointed as aforesaid, neither the churchwardens or overseers of the poor shall interfere or intermeddle in the care and management of the poor, but shall continue to have and be invested with the same powers of making and collecting poor's rates as they have at present, and shall be subject to the like penalties for neglect or misbehaviour in making and collecting such rates as they were at the time of passing this act.

VIII. And be it further enacted, That from and after the appointment of such guardian as aforesaid, one or more of the churchwardens or overseers of the poor of every parish, township, or place, which shall adopt the provisions of this act, who shall be approved at some publick meeting to be holden as aforesaid, shall receive the money to be collected by virtue of such poor's rates, and apply the same in manner following; (that is to say), If such parish, township, or place, shall not be united with any other by virtue of this act, such churchwarden or overseer shall pay to the guardian of the poor such sums, from time to time, as he shall have occasion to employ for the purposes of discharging the bills, and all other necessary expences attending such house or houses, and the poor belonging to such parish, township, or place, and shall take receipts from such guardian for all the money so paid, expressing in every such receipt the purposes for which such money is wanted; and if the said parish, township, or place, shall be united with any other parish, township, or place, by virtue of this act, such churchwarden or overseer shall pay, from time to time, to the treasurer of such united parishes, townships, or places, their due proportion and quota of the several expences attending the poor and poor house therein, under the authority and according to the direction of this act, and take his receipts for such money; or, if it shall be found more convenient, he shall permit such treasurer, from time to time, to draw drafts upon him for such money, in the form contained in the said schedule, No. VIII, and pay the same when they become due, specifying in every such receipt and draft the general purposes for which such money is to be applied; all which payments so to be respectively made, shall be allowed to the said churchwarden or overseer, in his accounts with the parish,

Churchwarden or overseer to receive the poor's rate.

How to be applied.

rish, township, or place, wherein such money shall be raised, and the accounts; as well of the said churchwarden or overseer, as of the said guardian, shall be examined at every monthly meeting, and shall be examined and passed quarterly by the visitor of such poor house, after they shall have been verified upon oath before a justice of the peace.

Justices to appoint a governor of each poor house.

IX. And be it further enacted, That it shall and may be lawful for two or more justices of the peace for the limit wherein such poor house shall be situate, and they are hereby required, as soon as conveniently may be after such agreement shall have been made as aforesaid for adopting the provisions of this act, either by a single parish or township, or by two or more parishes or townships, upon application made to them by two or more of the persons who shall have signed such agreement, and upon producing the same to them, to appoint one of the persons recommended for governor of such poor house, (in the form contained in the said schedule, No. VII, or to that or the like effect), who shall have the care, management, and employment of the poor persons to be sent thither, and shall be allowed such salary or wages for his trouble as shall be specified in the said agreement; and it shall and may be lawful for the visitor of such poor house, with the consent of the guardians, or the major part of them, or for two or more justices of the peace for such limit where a guardian shall be visitor, to remove the governor of such poor house, upon complaint, and sufficient proof, of misbehaviour or incapacity in the execution of his office.

Directions for the appointment of visitors.

X. And be it further enacted, That the guardians of the poor for the several parishes and townships which shall be so united as aforesaid, shall meet as soon as conveniently may be after such agreement shall have been made, to consider of three proper persons, respectable in character and fortune, fit to be put in nomination for the office of visitor of such poor house; and two or more of such guardians shall, as soon as conveniently may be after such meeting, apply to two justices of the peace acting for the limit wherein such poor house shall be, and produce to them the said agreement, and the names of the persons whom they shall desire to recommend; which justices shall then, or within three days after, appoint one of such persons so recommended to be visitor, in the form contained in the said schedule, No. VII, or to that or the like effect; but if he shall refuse to accept that office, they shall then appoint one other of the persons so named; and if he shall decline it, they shall appoint the third person named in such list; and if he shall decline it, the guardians of the said several parishes, townships, and places shall, and they are hereby required to serve that office monthly by rotation, subject to the controul of the justices of the limit where such poor house shall be: and every such visitor, if not a guardian, is hereby authorized to nominate some discreet and proper person to be his deputy or assistant, if he shall think fit, in the form contained in the said schedule, No. IX; and every such deputy or assistant shall, in the absence of such visitor,

Visitor may appoint a deputy.

viſitor, and under his direction, act as inſpector of the ſeveral matters ſo committed to the care of the viſitor, and ſhall make his report whereof, from time to time, to him, for his better information, and render him all the aſſiſtance in his power: and every viſitor ſo to be appointed ſhall ſuperintend every ſuch houſe or houſes, and ſettle and adjust the accounts between the ſaid guardians of the poor and the treaſurer of ſuch houſe, if any queſtion or diſpute ſhall ariſe reſpecting the ſame; and alſo ſhall ſerje and adjust all doubts and queſtions which may ariſe concerning the perſons which ought to be ſent to ſuch houſe or houſes, according to the intention of this act, and by every prudent means in his power enforce and promote the rules, orders, regulations, directions, and provisions eſtabliſhed, enacted, and formed by and under this act, for the better accommodation and relief of the poor, and the preventing all unneceſſary expences and burthens on the ſaid pariſhes, townſhips, and places: and every ſuch governor, guardian, and treaſurer, is hereby required to obſerve and obey the directions which he ſhall from time to time receive from the viſitor ſo to be appointed, touching the ſeveral matters aforeſaid: and, where any act ſhall be required to be done by a juſtice of peace, ſuch viſitor, if not a juſtice, or his deputy or aſſiſtant, ſhall apply to ſome neighbouring magiſtrate to do the ſame: and every perſon to be nominated or appointed viſitor or deputy viſitor as aforeſaid, as an inducement to his undertaking and executing that office, ſhall be freed and diſcharged from ſerving the office of conſtable, and all parochial offices, and alſo from ſerving upon juries at the aſſizes or quarter ſeſſions, ſo long as he ſhall continue in that office; and a certificate under the hand of a juſtice of the peace acting for the limit wherein he executes ſuch office, in the form contained in the ſaid ſchedule, No. X, ſhall be admitted as evidence of his ſerving the office.

Governor. &c.
to obey the
viſitor.

XI. And be it further enacted, That if two thirds, in number and value as aforeſaid, of the owners or occupiers of lands, tenements, or hereditaments, within any ſingle pariſh, townſhip, or place, which ſhall adopt the provisions of this act in manner aforeſaid, ſhall deſire to have a viſitor appointed, and ſhall nominate and recommend to the juſtices of the limit three perſons properly qualified for that office, the juſtices, upon application to them in manner aforeſaid, ſhall appoint one of the perſons ſo recommended, in the manner herein before directed concerning pariſhes, townſhips, and places ſo united as aforeſaid.

Single pariſhes
may have a
viſitor ap-
pointed.

XII. And be it further enacted, That the guardians of the ſeveral pariſhes and townſhips united for the purpoſes of this act, ſhall recommend to the juſtices one of their own body to be treaſurer of the poor houſe; and it ſhall and may be lawful for two juſtices of the limit to appoint the guardian ſo recommended, or any other of the guardians whom they ſhall think better qualified, to that office, in the form contained in the ſaid ſchedule, No. VII, or to that or the like effect; which treaſurer

A treaſurer to
be appointed.

shall give sufficient security to the satisfaction of the justices, to the other guardians, and their successors, for his duly accounting for the money which shall come to his hands, and shall keep the accounts, receive the money to be contributed by each parish and township, and pay or discharge the several bills and expences which shall be allowed and ordered to be paid by the guardians, at their monthly meeting; and shall lay his accounts before the guardians, at every such meeting, for their perusal and approbation; and shall, once in every year, within fourteen days before the *Michaelmas* quarter sessions of the peace for the county, riding, division, city, or place, where such poor house shall be situate, make out, or cause to be made out, a just and fair account of the expences attending the same, distinguishing them under the several heads herein specified; and also an account of the number of poor persons, distinguishing their age and sex, which shall be contained in every such house at the time of making such account, and how they have been employed, and how much money hath been earned by the labour of the poor in the year preceding; which shall be laid before the visitor, and signified under his hand, if he approves the same, and shall afterwards be transmitted to the clerk of the peace, or town clerk, of such county, riding, division, city, or place, before or at the time of the said quarter sessions, and be by him laid before the court there for their inspection: and every such treasurer shall be allowed, for his trouble in executing that office, such annual sum, not exceeding ten pounds, as the visitor, if not a guardian, shall think fit; and if no such visitor, as two justices of the peace for the limit shall appoint.

Vacancies occasioned by death of officers, &c. how to be supplied.

XIII. And be it further enacted, That when and as often as any vacancy shall happen in any of the offices aforesaid, by death, resignation, or removal, meetings shall be called, and recommendations offered to the justices in manner aforesaid; and they shall proceed, so soon as conveniently may be, in the manner before directed, to appoint a fit and proper successor to the person so dying, declining to act, or so removed as aforesaid.

At what time the offices of guardian, governor, &c. shall determine.

XIV. Provided always, and be it further enacted, That the offices of guardian, governor, visitor, or treasurer, to which any person shall be appointed under the authority of this act, shall determine in *Easter* week next after the respective persons shall be appointed thereto, on the day upon which the publick meeting for such parish, township, or place, shall be held there; when the persons, who, according to this act, are qualified and have a right to recommend another person to the justices, to be appointed to such office, shall either agree with the persons who held the same to continue in such office, or shall proceed to recommend others, in the manner herein-before directed, as if such person had died.

Justices in a different limit may act in certain cases.

XV. And be it further enacted, That if within any such limit as aforesaid, wherein any poor house shall be situate, there shall happen to be no acting justice, or only one acting justice of the peace, or if the justice or justices of the peace who usually act in that

that limit shall be absent, or by any means incapacitated to act, it shall and may be lawful for any justice or justices of any other limit to act in all such cases.

XVI. And be it further enacted, That it shall and may be lawful for the justices of the peace, within their respective limits, to appoint special or privy sessions for executing the several powers and purposes of this act, causing proper notices to be given of the time and place of holding the same, to the several justices of the peace, peace officers, and guardians of the poor, within such respective limits; and also to adjourn any such privy sessions, to be again holden at such time and place as they shall judge most proper for discharging the business required by this act, and such other business which may happen to fall under their cognizance, so as to occasion the least trouble to themselves, and to afford the greatest convenience and accommodation to the publick, causing the like notices to be given of every such adjournment.

Justices may appoint special sessions for executing the powers of this act.

XVII. And be it further enacted, That the guardians of the poor of the several parishes, townships, and places, which shall adopt the provisions of this act, shall provide a suitable and convenient house or houses, with proper buildings and accommodations thereto, when wanted, either by erecting new ones on land to be purchased or rented by them for that purpose, altering old ones, or hiring buildings for the purpose; and shall fit up and dispose the same, with the advice and approbation of the visitor, if any, in such manner as shall be most conducive to the general purposes of this act, at the expence of such parish or township, or parishes, townships, and places, respectively, in the proportions herein-after mentioned; and shall provide such utensils and materials as they shall think necessary for their employment, according to the true intent and meaning of this act.

Guardians shall provide houses, and proper utensils, &c.

XVIII. And be it further enacted, That the several poor houses or workhouses to be built or provided under the authority of this act, shall be situate within the parish or township for which they shall be used, if single parishes or townships, and if several parishes or townships shall be united for the purposes of this act, they shall be built or provided within one of the parishes or townships so to be united, and not in any other parish, township, or place, without the consent of three fourth parts, in number and value as aforesaid, of such owners or occupiers of lands, tenements, or hereditaments, within the same, first had and obtained, qualified as herein-before mentioned, who shall be assembled at a publick meeting to be holden in the manner, and upon the like notice, herein-before directed for publick meetings.

Poor houses where to be situated.

XIX. Provided always, and be it further enacted, That all the houses, buildings, and lands, to be hired or rented under the authority of this act, shall be hired or rented in such manner, for such term or terms, and on such conditions, as are specified in the form of agreement contained in the said schedule, No. IV; and all such houses, buildings, and lands, shall be free from all paro-

On what conditions lands, &c. shall be rented.

chial and parliamentary taxes, except such taxes, and to such amount, as they were assessed at the time they were first taken and applied for the purposes of this act.

Buildings to
be paid for by
the guardians.

XX. And be it further enacted, That when any such buildings shall be agreed to be erected, repaired, or fitted up, at the expence of the parish, township, or place, or parishes, townships, or places, which shall adopt the provisions of this act as aforesaid, the expences thereof, and of the purchase of the land necessary to be used for that purpose, shall be paid by the guardians of the poor of such parish, township, or place, or of the parishes, townships, and places, where they shall unite for those purposes, in the proportions to be settled and adjusted by the persons, and in the manner, directed by the agreement to be made as aforesaid; and that it shall and may be lawful for the visitor and guardian of the poor of any such parish, township, or place, when such expences, or their proportion thereof, shall amount to one hundred pounds or upwards, to borrow the same at interest, and secure such money by a charge upon the poor's rates of such parish, township, or place, in sums not exceeding fifty pounds each, for the greater ease in discharging the same, in the form contained in the said schedule, No. XI, or to that or the like effect; which charge shall continue upon the said rates until the money so borrowed, and all interest for the same, shall be fully paid and satisfied: and the said guardians and their successors shall, and they are hereby required duly to pay and keep down the interest of such money so to be borrowed, for the use of their respective parishes or townships, as the same shall become due; and that when the principal shall be called for, they may borrow it from some other person or persons; and the same shall be secured to the person advancing the same, by an assignment of such security indorsed on the bank thereof, in the form contained in the said schedule, No. XIV, or to that or the like effect: and that the poor's assessments shall continue at the same rate they were when such poor house was first established under the authority of this act, until the debt so contracted, and the interest thereof, shall be fully discharged: and that the said visitor and guardian, in order to expedite such payments, shall, as soon as the savings in the poor's accounts shall amount to a sum sufficient to pay off and discharge one of the sums which shall have been borrowed, pay off and discharge such sum, and in like manner as to all succeeding savings, until the whole debt so contracted and secured shall be discharged.

Visitors and
guardians im-
powered to
borrow mo-
ney.

Visitors and
guardians to
be incorpo-
rated.

XXI. And be it further enacted, That the visitor and guardian for the time being of every parish, township, and place, or of the several parishes, townships, and places which shall be so united as aforesaid, from and after they shall respectively have adopted the provisions of this act, shall be, and are hereby respectively declared to be one body politick and corporate, and be called by the name of *Visitor and Guardian*, or, *Visitors and Guardians*, of the Poor for the Parish, Township, or Place of
in the County, &c. of
or, of the united
Parishes,

Their name.

Parishes, Townships, or Places of *and*
in the County, &c. of

as the case shall be; and are hereby authorized and enabled by that name to sue and be sued, and to accept, take, and hold, by purchase or lease, any lands, tenements, or hereditaments of inheritance, or for lives or years, or for years determinable on the death of any life or lives, not exceeding in any city or town one acre, and not exceeding in the open country twenty acres of statute measure, for the site of a house or houses to be built, and for lands to be occupied, for the purposes of this act; and the said corporation is also hereby authorized and enabled to accept, take, and hold, all voluntary grants and donations of lands, tenements, or hereditaments of inheritance, or for lives or years, or for years determinable on lives, or of personal property, which shall be made to them for the use and benefit of the poor within such respective parishes, townships, or places.

XXII. And be it further enacted, That it shall and may be lawful for all bodies politick, corporate, or collegiate, corporations aggregate or sole, husbands, guardians, trustees, feoffees in trust, committees, executors, administrators, and all other trustees whatsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of their cestuique trusts, whether infants, issue unborn, lunaticks, ideots, femes-covert, or other person or persons, and to and for all femes-covert, who are or shall be seised, possessed of, or interested in their own right, and to and for every other person and persons whomsoever, who are or shall be seised, possessed of, or interested in any lands, tenements, or hereditaments, which shall be necessary to be purchased or rented for the purposes of this act, to contract for, sell, and convey, or lease the same, or any part thereof, in manner aforesaid, not exceeding the quantity aforesaid, unto the said visitor and guardians, their successors and assigns, or to such person or persons as they shall nominate and appoint; for the use and benefit of such poor house, and the poor persons within such parishes, townships, and places respectively, and for all other the purposes of this act.

XXIII. And be it further enacted, That all sums of money which are to be paid to any bodies politick, corporate, or collegiate, corporations aggregate or sole, feoffees in trust, executors, administrators, husbands, guardians, committees, or other trustees whatsoever, for or on behalf of any infant, lunatick, idiot, feme-covert, or other cestuique trust, or to any person or persons whose lands are limited in strict settlement, for the purchase of any lands or buildings as aforesaid, shall, in case the same exceed the sum of twenty pounds, by such bodies politick, corporate, or collegiate, corporations aggregate or sole, feoffees in trust, executors, administrators, husbands, guardians, committees, or other trustees, person or persons seised of lands or buildings so limited in strict settlement, be laid out, as soon as conveniently may be, in the purchase of lands, tenements, and hereditaments, in fee-simple, and conveyed to or to the use of

Incapacitated persons im-
powered to
sell lands, &c.

Money paid
for such lands,
&c. to be laid
out in the pur-
chase of other
lands, &c. to
be settled to
the same uses.

such bodies politick, corporate, or collegiate, corporations aggregate or sole, feoffees in trust, executors, administrators, husbands, guardians, committees, or other trustees, or to and for such other person or persons, and for such estates, and to, for, upon, and subject to such uses, trusts, limitations, remainders, and contingencies, as the lands for or in respect whereof such purchase money shall be so paid as aforesaid were limited, settled, and assured, at the time such purchase was made, or so many of such uses as shall be then existing, and capable of taking effect; such purchases and settlements to be made at the expence of the respective parish, or of the several parishes so uniting, in the proportions aforementioned, and charged by the respective guardians of such parishes, together with the purchase money, in their accounts; and in the mean time, and until such purchase or purchases shall be made, the said money shall be placed out by such bodies politick, corporate, or collegiate, corporations aggregate or sole, feoffees in trust, executors, administrators, husbands, guardians, committees, or other trustees, person or persons, in some of the publick funds, or on government or real security, in the name of two or more persons, the one to be named by the party or parties interested therein, and the other by the guardian, if it respects a single parish only, and by the visitor, if it respects several parishes, townships, or places, so united as aforesaid: and the interest arising and to be produced from such funds or securities, and also the annual rent, where the said premises shall be rented, shall be paid to such person or persons respectively as would, for the time being, be entitled to the rents and profits of such lands or buildings so to be purchased and settled, pursuant to the tenor and true meaning of this act.

Poor to be maintained at the general expence of the respective parishes.

Guardians to meet monthly.

Treasurer, at each meeting, to produce an account of debt incurred, repairs, furniture, &c.

XXIV. And be it further enacted, That the poor persons who shall be sent to every such house, by virtue and under the authority of this act, shall be maintained therein at the general expence of the respective parishes, townships, and places, so adopting the provisions of this act as aforesaid, according to the terms, and in the proportions, directed and prescribed by this act; and that the treasurer, with the assistance of the governor of every such house, to be appointed as aforesaid, shall provide all fit and necessary provisions for the maintenance of such poor, and keep an account thereof; and that there shall be a meeting of the guardians of the poor of every such parish, township, and place, at such house or houses, on the first *Monday* in every month, at the hour of ten in the forenoon, or on such other day and hour, in the first week of every month, as the said guardians shall at their first meeting appoint, to state, examine, inspect, and adjust the accounts for the preceding month; and that at such meeting, the said treasurer shall produce, fairly written, one account of the debt incurred in the preceding month, for utensils and materials for the purpose of manufacture, and for furniture, alterations, or repairs of the buildings, and also for the salary or allowance to the governor or treasurer, and servants

vants (if any), in which account the rent of ſuch houſe or houſes, buildings, and premiſes, if the ſame ſhall be rented, ſhall be charged in the month next after ſuch rent ſhall become due, according to the terms of the agreement for taking the ſame; which account, when ſettled and agreed to, ſhall be ſigned by the ſaid guardians attending ſuch meeting: and the ſums to be paid by each of ſuch pariſhes, townſhips, and places, on that account, ſhall be ſettled and adjusted at ſuch meeting, in proportion to the ſums paid by each ſuch pariſhes, townſhips, and places, on account of their poor, on a medium of three years next preceding the date of ſuch agreement, (to be ſettled and aſcertained at ſuch firſt monthly meeting, in the manner to be ſpecified by the ſaid agreement ſo to be entered into for uniting as aforeſaid, and according to the mode or form, and table, contained or referred to in the ſaid ſchedule, No. XV), and in like manner, and in the like proportions, at every ſucceeding monthly meeting; and the money ſhall be then, or within one week after, paid into the hands of the ſaid treaſurer, to be by him applied in diſcharge of the ſeveral articles and debts contained in ſuch account: and the ſaid treaſurer ſhall alſo at the ſame time produce, fairly written, one other account, of the viſtuals, beer, firing, and other neceſſaries, for the uſe and maintenance of the poor, and of the governor, at ſuch houſe or houſes, and all other incidental expences; which ſhall be then accounted for, and proportioned by the ſaid guardians according to the number of perſons which ſhall have been ſent from each of the ſaid reſpective pariſhes, townſhips, and places, and for the time they ſhall have reſided in ſuch houſe or houſes, within ſuch month, according to the mode or form, and table, and in the manner, for that purpoſe alſo mentioned in the ſaid ſchedule, No. XVI; and the ſum due from each pariſh, townſhip, or place, ſhall be ſpecified at the foot of ſuch account, which ſhall, when ſettled and agreed to, be ſigned by ſuch guardians, or the major part of them, and be afterwards inſpected by the viſitor, if not a guardian, and allowed by him if he ſhall approve thereof; and in caſe default ſhall be made in payment of the reſpective ſums ſo proportioned to be paid in reſpect of any ſuch pariſh, townſhip, or place, for ſeven days after the ſame ſhall be ſo ſettled and proportioned, and the money demanded, it ſhall and may be lawful for any juſtice of the peace for the limit where ſuch houſe or houſes ſhall be ſituate, upon complaint made to him upon oath of ſuch default, to levy the ſaid reſpective ſums, to be ſettled and proportioned as aforeſaid, by diſtreſs and ſale of the goods and chattels of any guardian of the poor for any ſuch pariſh, townſhip, or place, making ſuch default; and at the end of every year the account ſhall be finally cloſed, and the balances paid and received, according to the mode preſcribed by the ſaid ſchedule, No. XVI.

and alſo an
account of
the viſtuals,
beer, &c. uſed
in the poor
houſe.

XXV. And be it further enacted, That the churchwarden or overſeer of the poor of any pariſh, townſhip, or place, who ſhall have the cuſtody of the poor's rates, aſſeſſments, or accounts,

Penalty on
perſons reſuſ-
ing to deliver
up poor's
for rates, &c.

after proper demand.

for such parish, township, or place, shall, and is hereby required to produce the same to the persons who shall be nominated, in the agreement contained in the said schedule for uniting parishes, on every request made by them for that purpose, after four days' notice thereof, in order to enable them to ascertain the expences relative to the poor, on a medium of three years, according to the directions, true intent, and meaning of this act, or in default thereof shall forfeit the sum of five pounds for every such refusal or neglect.

Penalty on guardians who shall neglect to attend monthly meetings.

XXVI. And be it further enacted, That if the guardian of the poor for any parish, township, or place, which shall adopt the said provision as aforesaid, shall not attend each monthly meeting hereby directed to be holden, or send some substantial inhabitant of such parish, township, or place, to attend and answer the payments for him, in case he shall be prevented by sickness, or other unavoidable accident, from attending in person, the guardian for every such parish, township, and place, making such default, shall, for every such neglect, forfeit a sum not exceeding five pounds, nor less than forty shillings.

Waste land adjoining to poor houses may be inclosed, with consent of the lord of the manor, &c.

XXVII. And be it further enacted, That in order to encourage the salutary and benevolent purposes of this act, and to afford better accommodations for the poor at such poor houses, it shall and may be lawful for the guardians of the poor, where any such poor house shall be provided, purchased, or agreed to be erected, to inclose from any waste or common land or ground lying near or adjoining thereto, with the consent and approbation of the lord of the manor, and the major part in value of the freeholders or persons having right of common thereupon, signified under their hands and seals, any part or portion of such waste or common land, not exceeding ten acres, for the purpose of building upon, or occupying, cultivating, and improving the same, for the use and benefit of such poor house, and the poor persons within the parish, township, or place, where the same shall be, or within the parishes, townships, or places, which shall be united therewith for the purposes of this act.

Persons sent to poor houses to deliver an order signed by a guardian.

XXVIII. And be it further enacted, That every person or persons, to be sent to any house or houses to be provided under the authority of this act, shall, at the time of his or her entering such house, deliver, or cause to be delivered, to the governor thereof, or to his assistant, if any, an order, signed by one of the guardians of the poor of the parish, township, or place, from which such person shall come, for the admission of such person or persons, in the form or to the effect contained in the said schedule, No. XII; which order shall be carefully kept by the governor, and entered by him in a book to be provided for that purpose.

What persons may be sent to the poor houses.

XXIX. And, to render the provisions of this act more practicable and beneficial, be it further enacted, That no person shall be sent to such poor house or houses, except such as are become indigent by old age, sickness, or infirmities, and are unable to acquire a maintenance by their labour; and except such orphan children as shall

ſhall be ſent thither by order of the guardian or guardians of the poor, with the approbation of the viſitor; and except ſuch children as ſhall neceſſarily go with their mothers thither for ſuſtenance.

XXX. And be it further enacted, That all infant children of tender years, and who, from accident or miſfortune, ſhall become chargeable to the pariſh or place to which they belong, may either be ſent to ſuch poor houſe as aforeſaid, or be placed by the guardian or guardians of the poor, with the approbation of the viſitor, with ſome reputable perſon or perſons in or near the pariſh, townſhip, or place, to which they belong, at ſuch weekly allowance as ſhall be agreed upon between the pariſh officers and ſuch perſon or perſons with the approbation of the viſitor, until ſuch child or children ſhall be of ſufficient age to be put into ſervice, or bound apprentice to huſbandry, or ſome trade or occupation; and a liſt of the names of every child ſo placed out, and by whom and where kept, ſhall be given to the viſitor; who ſhall ſee that they are properly treated, or cauſe them to be removed, and placed under the care of ſome other perſon or perſons, if he finds juſt cauſe ſo to do; and when every ſuch child ſhall attain ſuch age, he or ſhe ſhall be ſo placed out, at the expence of the pariſh, townſhip, or place, to which he or ſhe ſhall belong, according to the laws in being: provided nevertheleſs, That if the parents or relations of any poor child ſent to ſuch houſe, or ſo placed out as aforeſaid, or any other reſponſible perſon, ſhall deſire to receive and provide for any ſuch poor child or children, and ſignify the ſame to the guardians at their monthly meeting, the guardians ſhall, and are hereby required to diſmiſs, or cauſe to be diſmiſſed, ſuch child or children from the poor houſe, or from the care of ſuch perſon or perſons as aforeſaid, and deliver him, her, or them, to the parent, relation, or other perſon ſo applying as aforeſaid: provided alſo, That nothing herein contained ſhall give any power to ſeparate any child or children, under the age of ſeven years, from his, her, or their parent or parents, without the conſent of ſuch parent or parents.

How poor children are to be provided for.

XXXI. And be it further enacted, That all idle or diſorderly perſons, who are able, but unwilling, to work or maintain themſelves and their families, ſhall be proſecuted by the guardians of the poor of the ſeveral pariſhes, townſhips, and places, wherein they reſide, and puniſhed in ſuch manner as idle and diſorderly perſons are directed to be by the ſtatute made in the ſeventeenth year of the reign of his late majeſty King George the Second; and if any guardian ſhall neglect to make complaint thereof, againſt every ſuch perſon or perſons, to ſome neighbouring juſtice of the peace, within ten days after it ſhall come to his knowledge, he ſhall, for every ſuch neglect, forfeit a ſum not exceeding five pounds, nor leſs than twenty ſhillings, one moiety whereof, when recovered, ſhall be paid to the informer, and the other moiety to be diſpoſed of as the other forfeitures are herein-after directed to be applied.

Idle perſons, who neglect to provide for their families, ſhall be proſecuted by the guardians.

XXXII. And

How guardians are to proceed relative to poor persons who cannot get employment.

XXXII. And be it further enacted, That where there shall be, in any parish, township, or place, any poor person or persons who shall be able and willing to work, but who cannot get employment, it shall and may be lawful for the guardian of the poor of such parish, township, or place, and he is hereby required, on application made to him by or on behalf of such poor person, to agree for the labour of such poor person or persons, at any work or employment suited to his or her strength and capacity, in any parish, township, or place, near the place of his or her residence, and to maintain, or cause such person or persons to be properly maintained, lodged, and provided for, until such employment shall be procured, and during the time of such work, and to receive the money to be earned by such work or labour, and apply it in such maintenance, as far as the same will go, and make up the deficiency, if any; and if the same shall happen to exceed the money expended in such maintenance, to account for the surplus, which shall afterwards, within one calendar month, be given to such poor person or persons who shall have earned such money, if no further expences shall be then incurred on his or her account to exhaust the same. And in case such poor person or persons shall refuse to work, or run away from such work or employment, complaint shall be made thereof by the guardian to some justice or justices of the peace in or near the said parish, township, or place; who shall enquire into the same upon oath, and on conviction punish such offender or offenders, by committing him, her, or them, to the house of correction, there to be kept to hard labour for any time not exceeding three calendar months, nor less than one calendar month.

Guardians to provide suitable clothing for the persons they send to the poor houses.

XXXIII. And be it further enacted, That the guardian of the poor for any parish, township, or place, adopting the provisions of this act as aforesaid, shall provide, at the expence of such parish, township, or place, suitable and necessary clothing for the persons sent by him to such poor house as aforesaid; and in case of his neglect so to do, the governor or one of the guardians of every such house shall make complaint thereof to some neighbouring justice of the peace; who shall summon the guardian so making neglect to appear before him to answer the said complaint, and direct him to provide such clothing as shall to such justice appear necessary; and if such guardian shall make default in providing such clothing, within ten days after such direction, it shall and may be lawful for such justice of the peace to direct the governor of such poor house, or the guardian so making such complaint, to provide the same, and to demand from such guardian so making neglect, the charges and expences of such clothing; and in default of payment thereof, upon demand made, it shall and may be lawful for such justice or justices of the peace to levy the same, and the costs and charges attending the recovery thereof, by distress and sale of the goods and chattels of every such guardian so making default.

Rules and orders contained

XXXIV. And be it further enacted, That the rules, orders, and

and regulations, ſpecified and contained in the ſchedule hereunto annexed, ſhall be duly obſerved and enforced at every poor houſe or workhouſe to be provided by virtue of this act, with ſuch additions as ſhall be made by the juſtices of the peace of the limit wherein ſuch houſe or houſes ſhall be ſituate, at ſome ſpecial ſeſſion; provided that ſuch additions ſhall not be contradictory to the rules, orders, and regulations eſtabliſhed by this act, and provided that the ſame be not repealed by the juſtices at their quarter ſeſſions of the peace; and, for the purpoſe of having them more generally known, and more ſtrictly attended to, the governors of every ſuch houſe or houſes ſhall, and are hereby required to cauſe the ſame to be printed in plain legible characters, and fixed up in ſome conſpicuous part of every ſuch houſe or houſes.

in the ſchedule to be obſerved at the poor houſes.

XXXV. *And whereas, by the ſaid act of the ninth of King George the Firſt, directions are given touching the application to be made by poor perſons, and the manner in which they are to be relieved, by orders from juſtices of the peace; but, from a want of proper descriptions of the poor, who are to be the objects of ſuch relief, from a want of proper accommodations in many pariſhes, townſhips, and places, and from a want of the means of enforcing the orders of the juſtices for ſuch relief, the ſaid act hath not had its proper effect, and the poor have been frequently reduced to hardſhips and diſtreſſes: for*

remedy whereof, be it further enacted, That it ſhall and may be lawful for any juſtice of the peace, on complaint made upon oath, by or on the behalf of any poor perſon belonging to any pariſh, townſhip, or place, that the guardian, upon application made to him, hath reſuſed ſuch poor perſon proper relief, and after enquiring into the condition and circumſtance of ſuch poor perſon upon oath, either to order him or her, by writing under the hand of ſuch juſtice, ſome weekly or other relief, or direct ſuch guardian to ſend ſuch poor perſon to the poor houſe, in caſe he or ſhe ſhall appear a fit object to be kept and provided for there, according to the true intent and conſtruction of this act; which order ſhall be complied with, or ſufficient cauſe ſhewn to the contrary, before ſuch juſtice, by ſuch guardian, within two days after he ſhall receive the ſame; (and every perſon receiving weekly relief ſhall wear the badge directed by the act made in the eighth and ninth years of the reign of King William the Third, unleſs directed otherwiſe by a juſtice of the peace, upon proof of very decent and orderly behaviour); or if it ſhall appear to ſuch juſtice, that the perſon ſo complaining, or on whoſe behalf ſuch complaint is made, is able and willing to work, but wants employment, in that caſe it ſhall and may be lawful for ſuch juſtice to order the guardian to procure him or her maintenance and employment in the manner herein-before directed; and if any guardian ſhall, upon due notice of any ſuch order, reſuſe or neglect to obey the ſame, he ſhall, for every ſuch reſuſal or neglect, forfeit the ſum of five pounds; or if it ſhall appear to ſuch juſtice, that the perſon making ſuch complaint, or on whoſe behalf ſuch complaint is made, is an idle or diſor-

Justices, on complaint that any guardian hath reſuſed relief to any poor perſon, may direct ſuch guardian to ſend the complainant to the poor houſe.

If the juſtice ſhall find that the complainant is an idle perſon, he may

commit him to
the houſe of
correction.

derly perſon, and has not uſed proper means to get employment, it ſhall and may be lawful for the juſtice, after examining ſuch perſon, and hearing the whole circumſtances of the caſe, to commit ſuch perſon to the houſe of correction for any time not exceeding three calendar months, nor leſs than one calendar month; or if it ſhall appear to ſuch juſtice, upon enquiry as aforeſaid, that the huſband or father of ſuch perſon making complaint, or on whoſe behalf complaint ſhall be ſo made, for want of relief, is an idle or diſorderly perſon, able to work, but by his neglect of work, or for want of ſeeking employment, or by ſpending the money he earns in alehouſes, or places of bad reputation, does not maintain his wife or children, and ſuffers them to be reduced to want, it ſhall and may be lawful for ſuch juſtice of the peace, in like manner, to commit the huſband of ſuch poor woman, or the father of ſuch poor child or children, to the houſe of correction, for any time not exceeding three calendar months, nor leſs than one calendar month.

Guardian not
to be ſum-
moned before
the juſtice,
unleſs the
complainant
ſhall have ap-
plied both to
the guardian
and viſitor.

XXXVI. Provided always, and be it further enacted, That when any complaint or application ſhall be made to a juſtice of the peace, for the relief of any poor perſon, within any pariſh, townſhip, or place, for which a viſitor ſhall be appointed, ſuch juſtice ſhall not ſummon the guardian to appear before him, unleſs application ſhall have been firſt made, by the perſon ſo complaining, to the guardian, and, if he reſuſes redreſs, to the viſitor, (it being part of his duty to adjust matters of that ſort), who ſhall order relief if he thinks it neceſſary, either within or out of the poor houſe, as he ſhall judge right; but if ſufficient relief ſhall not be ſo given or ordered, the poor perſon complaining, or on whoſe behalf ſuch complaint ſhall be made, ſhall be redreſſed by ſuch juſtice in the manner herein-before directed.

Application
of penalties
inſlicted on
guardians.

XXXVII. And be it further enacted, That out of the penalty hereby inſlicted upon the guardian for diſobeying the order of a juſtice of the peace for the relief and maintenance of any poor perſon, ſo much thereof as the juſtice of the peace who ſhall convict ſuch offender ſhall direct to be paid to ſuch poor perſon to whom ſuch relief was ordered, ſhall be paid to him or her accordingly, and the remainder applied in ſuch manner as the other penalties are hereby directed to be diſpoſed of.

Directions re-
lative to ſuch
poor perſons
who ſhall be
afflicted with
ſickneſs, &c.
when at a
diſtance from
their pariſh.

XXXVIII. And be it further enacted, That if any poor perſon ſhall be retarded on his or her paſſage through any pariſh, townſhip, or place, in which he or ſhe has no legal ſettle- ment, by reaſon of his or her meeting with any accident, or being afflicted with any dangerous ſickneſs or bodily infirmity, without the means of ſubſiſtence, or of proceeding to the place of his or her ſettle- ment, the guardian living near the place where ſuch diſtreſſed object ſhall be, ſhall, and is hereby required, upon notice thereof, forthwith to provide lodging, and ſuitable nourishment and aſſiſtance (and alſo cloathing if neceſſary) for ſuch perſon, until he or ſhe can be removed with ſafety; and when ſuch perſon ſhall be in a ſtate of health fit to be removed,

removed, shall take such person to some neighbouring justices of the peace of the county, riding, division, city, or place, where such person was found, who shall examine him or her upon oath, touching the place of his or her settlement, and make an order for his or her removal thither, if they think fit: and the parish officer who shall so receive and provide for such person or persons as aforesaid, shall make a charge of the expences attending the same, which, on being allowed and certified by the justices before whom such poor person shall be so taken, or some other neighbouring justices within the limit where such person was found, the same shall be paid by the guardian of the parish, township or place, where such poor person shall be settled, in case the same can be discovered, and shall happen to be within that county, on demand made thereof, and on the production of such allowance and certificate as aforesaid, or in default of payment, the same shall be levied upon the goods and chattels of any such guardian so making default, after due summons, by warrant from a justice of peace having jurisdiction there; and if any poor and sick person circumstanced as aforesaid shall die before he or she can be so examined, or if any poor person shall be found dead in any parish or place to which he or she did not belong, the guardian of such parish or place respectively shall, and is hereby required, in every such case, to cause such person to be buried in the parish, township, or place, where he or she so died or was found dead, and shall make a charge of the expences attending the same respectively, which shall be allowed and certified by a justice of the peace, after examining into the place of his or her settlement, and shall be paid by the guardian of the parish, township, or place, where such person shall appear to have been settled, if the same shall be within that county; but in case the settlement of such poor persons respectively cannot be discovered, or shall not be within that county, the same shall be paid by the treasurer of such county, riding, division, city, or place, where such person was so relieved, on the production of such allowance and certificate, out of the county or publick money to be collected within his limit, and allowed to such treasurer in his accounts.

XXXIX. And be it further enacted, That nothing herein contained shall extend, or be construed to extend, to alter or affect the settlement of any person or persons whomsoever, or to give any illegitimate child, who may be born in any poor house or workhouse established under the authority of this act, a settlement in the parish or place in which such workhouse or poor house shall be situated, (but every such child shall be considered as settled in the parish or place to which the mother belongs), or to alter or affect any of the provisions, directions, rules, orders, or regulations, established by any act or acts of parliament for the management and government of any particular house of industry, or workhouse, in any part of this kingdom; any thing herein contained to the contrary thereof in any-wise notwithstanding.

Not to alter the settlement of any person, &c.

Penalty on persons who shall embezzle or waste goods, &c. committed to their care in any poor house.

XL. And be it further enacted, That if any poor person, who shall be sent to such house or houses, shall embezzle or wilfully waste any of the goods or materials committed to his or her care, or shall take or carry away, without permission of the governor, any goods or materials provided for the use of such house, or belonging to any person residing there, complaint shall be made thereof upon oath to some neighbouring justice of peace living near such house; who shall hear the same, and the party accused; and such justice is hereby authorized, upon conviction, to commit such offender to the house of correction, there to be kept to hard labour for any time not exceeding six calendar months, nor less than two calendar months, as the said justice shall think fit and direct.

Penalty on enticing or removing pregnant women, &c. from one parish to another, without an order from two justices.

XLI. And whereas it frequently happens that poor children, pregnant women, or poor persons afflicted with sickness, or some bodily infirmity, are enticed, taken, or conveyed by parish officers, or other persons, from one parish or place to another, without any legal order of removal, in order to ease the one parish or place, and to burthen the other with such poor persons: for remedy whereof, be it further enacted, That when any guardian, or other person or persons, shall so entice, take, convey, or remove, or cause or procure to be so enticed, taken, conveyed, or removed, any such poor person or persons from one parish or place to another, which shall adopt the provisions of this act, without an order of removal from two justices of the peace for that purpose, every person or persons so offending shall, for every such offence, forfeit a sum not exceeding twenty pounds, nor less than five pounds.

Penalty on visitors, guardians, and governors, who shall furnish provisions, &c. for the poor house to which they belong.

XLII. And be it further enacted, That if any visitor, guardian, or governor, shall sell or furnish any materials, goods, clothes, victuals, or provisions, or do any work in his trade for the use of any workhouse, poor house, or poor persons, within any parish, township, or place, for which he shall be so appointed to act, or be concerned in trade or interest with any person or persons who shall sell, provide, do, or furnish the same, he shall, for every such offence, forfeit a sum not exceeding twenty pounds, nor less than five pounds, on being duly convicted thereof by a justice of the peace.

Guardians, with the approbation of the parishioners, may sell houses provided by the parish for the poor thereof.

XLIII. And be it further enacted, That it shall and may be lawful for the guardians of the poor of any parish, township, or place, which shall adopt the provisions of this act, with the approbation of the persons, within such parish, township, or place, qualified as herein-before mentioned, obtained at a public meeting held for that purpose, to sell or dispose of any house, cottage, or building, which shall have been erected or purchased for the use of any poor person or persons, at the expence of such parish, township, or place, and apply the money arising therefrom for the purposes of this act; and also to remove, by order from a justice or justices of the peace, the person or persons who shall inhabit the same, or any other house or dwelling rented or provided at the expence of such parish, township,

townſhip, or place, if he, ſhe, or they reſuſe to quit, after receiving fourteen days notice for that purpoſe.

XLIV. Provided always, and be it further enacted, That nothing in this act contained ſhall extend to or affect, or be deemed, conſtrued, or adjudged to extend to or affect, any pariſh, townſhip, or place, which ſhall not agree to adopt the provisions herein contained, in the manner hereby directed and preſcribed; any thing herein contained to the contrary thereof notwithstanding.

This act not to extend to any place which ſhall not adopt the provisions thereof.

XLV. And be it further enacted, That all penalties inflicted by this act ſhall be recovered before one or more juſtice or juſtices of the peace of the juuriſdiction where the offender dwells; who ſhall, upon conviction, in default of payment, after due ſummons, and demand made, cauſe the ſame to be levied by diſtreſs and ſale of the offender's goods and chattels, by virtue of a warrant under the hand and ſeal of any juſtice of the peace having juuriſdiction where ſuch offender ſhall dwell, rendering to the ſaid offender the overplus (if any) after the charges of ſuch diſtreſs and ſale ſhall be deducted; and in caſe ſufficient diſtreſs ſhall not be found, then, and in every ſuch caſe, it ſhall and may be lawful to and for any ſuch juſtice of the peace to commit ſuch offender to the houſe of correction, there to remain, without bail or mainprize, for any ſpace not exceeding ſix calendar months, nor leſs than one calendar month; and that every ſuch penalty and forfeiture, if not hereby otherwiſe directed to be diſpoſed of, ſhall be paid to the treaſurer of every ſuch houſe or houſes, where any ſuch ſhall be eſtabliſhed under the authority of this act, to be applied by him towards defraying the monthly expences of victuals, beer, firing, and other neceſſary provisions for the poor within ſuch houſe or houſes.

Penalties and forfeitures how to be recovered and applied.

XLVI. And be it further enacted, That any perſon aggrieved by the act of any juſtice or juſtices of the peace out of ſeſſions, in or concerning the execution of this act, may appeal to the next general quarter ſeſſions of the peace for the county, riding, liberty, diſviſion, precinct, or diſtrict, wherein ſuch act was done, giving eight days notice thereof to the party againſt whom the complaint ſhall be made, and giving ſecurity, by recognizance, to be acknowledged before a juſtice of the peace, with a ſufficient ſurety, to pay the coſts attending ſuch appeal, if the matter ſhall be determined againſt the appellant; and the juſtices at ſuch quarter ſeſſions are hereby authorized to hear and determine ſuch appeal, and to award coſts, for or againſt the appellant, as they ſhall ſee juſt cauſe ſo to do; which determination ſhall be final, and ſhall not be removed by *certiorari*.

Perſons aggrieved may appeal to the quarter ſeſſions;

whoſe determination ſhall be final.

XLVII. And be it further enacted, That this act ſhall be deemed and taken to be a publick act; and ſhall be judicially taken notice of as ſuch, by all judges, juſtices, and other perſons whomſoever, without ſpecially pleading the ſame.

Publick act,

S C H E D U L E,

Containing the Forms of Proceedings referred to by the
aforefaid Act.

No. I.

FORM of AGREEMENT at a publick meeting, for a fingle
parish or township to adopt the provisions, rules, and regu-
lations, of an act, made in the twenty-second year of George
the Third, for the better relief and employment of the poor.

IT is agreed, at a publick meeting duly holden this day of
 at in the county of pursuant to the di-
rections of an act, made in the twenty-second year of King George
the Third, for the better relief and employment of the poor,
That the parish [or township] of [as the case shall be]
shall from henceforth adopt, in all respects, the provisions, rules, or-
ders, and regulations, and comply with all the requisites prescribed by
the said act; and that our workhouse [if there is one] shall be imme-
diately fitted up and accommodated for the purposes mentioned in the
said act. [If there is none] We will forthwith provide a proper
workhouse, either by erecting a new one, or hiring, altering, and
fitting up buildings suitable to the purpose, at some convenient place
within our parish, &c. And we recommend to the consideration of
the justices and as fit and proper persons for
guardsans of the poor; and and
as fit and proper persons for governors of the poor house, for the said
parish, township, &c. [as the case shall be].

Given under our hands, &c.

No. II.

FORM of CONSENT and APPROBATION of the justices.

WE A. B. and C. D. esquires, two of his Majesty's justices
of the peace for the county, &c. of [as
the case shall be] considering the parish or township, &c. of
 within the said county, &c. to be of magnitude suffi-
cient to have a workhouse provided within it for the reception and
employment of the poor, and to adopt the provisions of the act (for
the better relief and employment of the poor) passed in the twen-
ty-second year of the reign of King George the Third, do hereby give
our approbation and consent thereto, pursuant to the directions of the
said act; and we do also agree to the salaries fixed by the said agree-
ment to be paid to the guardian and governor.

Given under our hands, this

day of

No.

No. III.

FORM OF AGREEMENT, at the publick meeting, for two or more parishes, townships, or places, to unite in adopting the provisions of the act, made in the twenty-second year of King George the Third, for the better relief and employment of the poor.

IT is agreed, at a publick meeting duly held this _____ day of _____ at _____ in the county of _____ pursuant to the directions of the said act, That the parish [or township] of _____ [as the case shall be] shall, from henceforth, in conjunction with the parishes or townships of _____ and _____ [as the case shall be] adopt in all respects the provisions, rules, orders, and regulations, and comply with all the requisites prescribed by the said act for parishes uniting for those purposes; and that a convenient workhouse, and other buildings and necessary conveniences, shall be immediately provided at or near and properly fitted up and accommodated for the purposes mentioned in the said act: and we recommend to the consideration of the justices of the limit wherein such workhouse will be situate, A. B., C. D., and E. F., as fit and proper persons qualified for guardians of the poor; and G. H., I. K., and L. M., as fit persons to be governors of the poor house, for the said parish [or, township, as the case shall be]; and do agree to allow the person who shall be appointed guardian a salary of _____ per annum for his trouble in executing that office; and to the person who shall be appointed governor of the poor house a salary of _____ for his trouble in executing that office.

No. IV.

FORM OF AGREEMENT for uniting the parishes [or, townships, as the case shall be] of A, B, C, and D, for the purpose of providing a house or houses, and the better maintaining and employing their poor, pursuant to the statute of the twenty-second year of King George the Third.

IT is agreed, this _____ day of _____ by and between the guardians of the poor of the parishes of _____ and _____ and of the townships of _____ and _____ in the county of _____ (which maintain their own poor separate and distinct from the other parts of their respective parishes) whose names are hereunto subscribed, pursuant to the opinion of two third parts, in number and value as aforesaid, of the owners or occupiers of lands, tenements, and hereditaments, assessed to the poor's rates within such respective parishes and townships, at meetings duly held for that purpose, qualified according to the directions of the act passed in the twenty-second year of the reign of his Majesty King George the Third, and with the approbation of A. B. and C. D. two justices of the peace, according to the directions of the said act, That the said respective parishes and townships shall

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be united for the better maintaining and employing their poor; and that a convenient houſe or houſes, with proper buildings and accommodations thereto, and with land fit for gardens, orchards, and the keeping of a cow or cows, ſhall be built, [purchaſed, or hired, as ſhall be found moſt ſuitable] at or near ^{for the} reception and accommodation of the poor, as ſoon as conveniently may be, and if hired, the ſame ſhall be rented upon ſuch terms as ſhall be agreed upon between the guardians of the poor of the ſaid ſeveral pariſhes and townſhips, or the major part of them, and the perſon or perſons owning or being authorized to let ſuch buildings, lands, and premises; but no ſuch agreement ſhall be made for a longer term than twenty-one years, unleſs the guardian or guardians ſhall have an option to vacate it at the end of that term, on giving twelve months notice in writing of his or their intentions ſo to do, nor for a ſhorter term than three years; and ſuch houſes ſhall be fitted up and made convenient for the purpoſes aforeſaid, at the expence of the landlords, [or tenants, as ſhall be agreed between them]: that the rents of the ſaid houſes, the expences of fitting up, making additions & alterations, [where they ſhall be agreed to be paid by the tenants], and of the furniture thereof, and alſo the utenſils and materials to be uſed for the purpoſe of employing the poor, and the wages and allowances to be paid to the governor of the houſe, ſhall be paid by the ſaid ſeveral guardians in their due proportions, according to the amount of the money raiſed by the poor's rates for their ſeveral pariſhes and townſhips, in reſpect of their poor, on a medium of three years preceeding ſuch agreement; and that ſuch proportion ſhall be aſcertained by ^{and} ^{whom we have nomi-} ^{nated} for that purpoſe, and ſhall be paid by the guardians of the poor of the ſaid reſpective pariſhes and townſhips, to the perſon who ſhall be authorized to receive the ſame, within ſeven days after the ſame ſhall be ſo aſcertained; and that the money earned by the labour of ſuch poor ſhall be brought to the credit of that account at the end of every year: that the expences of victuals, beer, and firing, for the poor and the governor, [and for the aſſiſtants, when any ſhall be found neceſſary] in every ſuch houſe or houſes, with all other ſmall incidental expences, ſhall be proportioned, at the end of every month, according to the number of poor which ſhall be ſent from each of the ſaid reſpective pariſhes, townſhips, and places, and for the time they ſhall have reſided there within ſuch month: that the guardians of the poor of any of the ſaid pariſhes, townſhips, or places, ſhall be at liberty to withdraw from this agreement at the end of the firſt three years, or any ſucceeding three years, on giving twelve months notice of ſuch their intention, if it ſhall be ſo determined by three fourth parts of the owners or occupiers of lands, tenements, or hereditaments, aſſeſſed to the poor's rates, and qualified as aforeſaid, at a publick meeting, ſummoned by due notice as aforeſaid, ſpecifying the occaſion of ſuch meeting; and in ſuch caſe, they ſhall receive one half of their due proportion, to be aſcertained by the perſons above named, or ſuch other perſons as the parties ſhall agree upon for that purpoſe, of the value of the furniture, ſtock, utenſils, and implements, then remaining at ſuch poor houſe, after paying their proportion of the rent, and

of the ſalaries to the governor and other officers, to the end of the then growing year: and that the guardians of the poor of each pariſh, townſhip, and place, ſhall provide ſuitable and convenient cloathing for the poor, to be ſent to the ſaid houſe or houſes, from their reſpective pariſhes, townſhips, or places, and charge the expences thereof in their accounts. And we recommend to the juſtices of the limit where ſuch houſe is to be ſituated, A. B., C. D., and E. F., as perſons duly qualified for the office of viſitor of the ſaid poor houſe, and I. K., L. M., and N. O., as perſons duly qualified for the office of governor of the ſaid poor houſe.

We, A. B. and C. D. the juſtices of peace mentioned in the within-written agreement, do hereby give our approbation to the pariſhes and places herein named being united for the purposes of the act within mentioned.

do

Witness our hands, this

of

No. V.

FORM of ENTRY to be made by the clerk of the peace or town clerk.

BE it remembered, That on the day of A. B. depoſited in my hands a copy of the agreement made between the churchwardens and overſeers of the poor of the pariſhes or townſhips of and [as the caſe ſhall be] in the county, &c. [as the caſe ſhall be] of for uniting in hiring, purchaſing, or building houſes, at or near in the ſaid county, &c. and providing for the maintenance and employment of a certain deſcription of poor perſons belonging to the ſaid pariſhes, townſhips, and places, purſuant to the ſtatute made in the twenty-second year of the reign of his majeſty King George the Third.

No. VI.

FORM of a NOTICE for the meeting.

NOTICE is hereby given, That a publick meeting, to conſult the owners or occupiers of lands, tenements, or hereditaments, aſſeſſed after the rate of five pounds per annum, about hiring, purchaſing, or building [as the caſe ſhall be] a houſe or houſes, and providing for the maintenance and employment of the poor, purſuant to the ſtatute of the twenty-second year of George the Third, will be held at the day of as in the forenoon.

No. VII.

FORM of APPOINTMENT of a guardian.

WE A. B. and C. D. two of his Majeſty's juſtices of peace for the county of acting for the hundred, &c.

N 2

of

Anno viceſimo ſecundo GEORGII III. c. 83. [1782.]

*of in the ſaid county, do hereby appoint E. F.
of to execute the office of guardian of the poor for
the pariſh, &c. of within the ſaid hundred, &c.
for one year, to be computed from ſo which he
has been recommended at a publick meeting holden the
day of pursuant to the directions of the act paſſed
in the twenty-second year of the reign of his majeſty King George the
Third, for the better relief and employment of the poor.*

*Given under our hands, this
day of*

[The like form for viſitor, only varying the deſcription
of the office, and when appointed for united pariſhes,
&c. name them.]

[The like form for appointing a governor and treaſurer,
only varying that of a treaſurer, by adding, *to which
he has been recommended by the guardians.*]

No. VIII.

FORM of a DRAFT by the guardian on the churchwarden or
overſeer appointed to collect the poor's rates.

To A. B. collector of the poor's rates of the pariſh [or townſhip]
of [as the caſe ſhall be.]

YOU are hereby authorized and directed to pay to C. D. the ſum
of for [here deſcribe the occaſion of the
payment, whether for *houſe rent, cloathing, or for weekly relief
of poor perſons, &c. &c.* as the caſe ſhall be] and take his receipt
for the ſame, which will be your diſcharge for ſuch payment. Dated
this day of

E. F.

Guardian of the poor for the pariſh
[or townſhip] aforeſaid.

No. IX.

FORM of APPOINTMENT of a deputy viſitor.

I A. B. viſitor of the poor and poor houſe for the pariſh, townſhip,
&c. of [or for the united pariſhes,
townſhips, &c. of and] in
the county of do hereby nominate and appoint C. D.
to be my deputy viſitor and aſſiſtant, during my will and pleaſure,
pursuant to the power given to me by an act, paſſed in the twenty-
second year of the reign of his majeſty King George the Third, (inſi-
tuted, An act for the better relief and employment of the poor),
and authorize him to diſcharge the duty required of him by the
ſaid act.

Witneſs my hand, this

day of

No.

No. X.

FORM of certificate of serving the office of visitor.

I A. B. one of his Majesty's justices of the peace for the county, &c. [as the case shall be] of do hereby certify, That C. D. of in the said county, hath been appointed to, and is now serving, the office of visitor of the poor for the parish or township of [or for the parishes and townships of] in the said county, [as the case shall be] pursuant to the direction of the act passed in the twenty-second year of the reign of his majesty King George the Third.

Dated this

day of

No. XI.

FORM of SECURITY for money borrowed.

By virtue of an act, made in the twenty-second year of the reign of his majesty King George the Third, (intituled, An act for the better relief and employment of the poor), we A. B. visitor, and C. D. guardian of the poor, for the parish [or township, as the case shall be] of E, in the county, city, &c. of in consideration of the sum of to us in hand paid by for the purpose of purchasing, building, erecting, repairing, fitting up, or furnishing, &c. [as the case shall be] a convenient house, buildings, and offices, for the reception, accommodation, and employment of the poor of the said parish or township, and for providing suitable stock and utensils for that purpose, do hereby charge the poor's rates to be hereafter made, and the several sums of money to be raised thereupon, within the said parish [or township, as the case shall be] with the payment of the said principal sum, and interest after the rate of per centum per annum, half-yearly, as the same shall become due.

No. XII.

FORM of ORDER for admission of paupers.

To the governor of the poor house at E.

YOU are hereby ordered and required to receive A. B. [describe his or her age, and whether married or single] a poor person belonging to the parish [or township, as the case shall be] of in the county of D. into the poor house at E. and to accommodate and provide for such person in a proper manner, according to the rules and establishment of the said house.

Given under my hand, this

day of

H. G.

Visitor, [or guardian, as the case shall be.].

No. XIII.

FORM of the JUSTICE's direction to excuse the badge. '

I A. B. a justice of peace for the county [riding, division, &c. as the case shall be] of _____ having received proof upon oath before me, that C. D. a poor person receiving weekly relief from the parish [township, &c. as the case shall be] of _____ in the county, &c. of _____ is a person of very decent and orderly behaviour, do hereby direct the guardian [or overseer, if no guardian] of the poor for the said parish, &c. to omit putting the badge upon the coat [or gown, if a female] of the said C. D. and to excuse his [or her] wearing the same, as long as he [or she] shall continue to behave orderly and decently.

Dated this day of

No. XIV.

FORM of the transfer of the security for the money advanced.

Do transfer this security, with all my right and title to the principal money hereby secured, and to all the interest now due, or hereafter to be due, unto C. D. his executors, administrators, and assigns. Dated this day of

A. B.

Witness, E. F.

No. XV.

MODE of adjusting the first account mentioned in the act, respecting utensils, materials, furniture, rent, &c.

LET it be supposed that the parishes or townships of A. B. C. and D. have agreed to be united under the authority of the act; and that E. and F. are the persons named in the agreement as arbitrators, or referees, to settle and adjust the proportions which each parish or place is to pay.

It will be necessary for E. and F. at their first meeting, to call upon the officers of every such parish, township, or place, for their assessments and accounts, in order to see what they have paid to their poor, on a medium of three years preceding the agreement; who are required by the act to produce them, under a penalty for refusal.

When the arbitrators have got these materials, it will be necessary to separate and deduct every matter which does not relate to the poor; for instance, money paid to the county rates, or for the expenses of the constable, headborough, or militia, which are all now included in the poor's rates; and, as some of these parishes may have had expences occasioned by litigations about settlements and removals; and others may not, they should exclude all such expences in the account.

When the accounts have been so inspected and examined, and the proper deductions made, they may be supposed to appear:

That

That A. has paid for the firſt of the } three years.	-	-	65	7	6
for the ſecond year	-	-	87	2	0
for the third year	-	-	105	0	0
Making together			257	9	6

A third part of which ſum (being A.'s medium), will be	85	16	6
Let B.'s payments be calculated in the ſame manner, which may be ſuppoſed to amount, on the medium of three years, to	-	-	-
C.'s ditto, to	-	-	-
D.'s ditto, to	-	-	-
	110	0	0
	97	0	0
	140	0	0

The total amount of the annual payments will be 432 16 6

Suppoſe the month's expences paid by the ſeveral pariſhes under the above heads, according to the directions of the act, ſhould amount to £. 300, the queſtion will be, If £. 432 : 16 : 6, (the total medium of all the pariſhes), require £. 300, what will £. 85 : 16 : 6 require? When that ſhall be worked by the rule of three, multiplying the third number by the ſecond, and dividing it when ſo multiplied by the firſt, the answer will be,

That A.'s proportion amounts to	-	-	-	59	9	5
B.'s proportion, when worked in the ſame manner, will be	-	-	-	76	5	0
C.'s ditto	-	-	-	67	4	7
D.'s ditto	-	-	-	97	1	0

Making together the whole ſum expended 300

When thoſe medium ſums ſhall be ſettled and proportioned at their firſt meeting, there will be no occaſion to repeat that trouble afterwards, as the firſt ſum will be the ſame on all future calculations; and to prevent trouble in adjusting the proportions at every monthly meeting, at every poor houſe, ſoon after the firſt medium proportions ſhall be ſo aſcertained, there ſhall be a table fixed, calculating the proportions of each pariſh, townſhip, or place, to any given ſum, from the ſmalleſt to the greateſt, that is likely to be expended in that diſtrict within the month; which will make every account clear and eaſy to the meaneſt underſtanding, and will be liquidated in an inſtant.

No. XVI.

Mode of adjusting the ſecond account mentioned in the act, reſpecting the victuals, beer, firing, and other neceſſaries.

AS ſoon as the agreement is made for uniting ſeveral pariſhes, &c. the guardians ſhall meet and conſider what will be a proper weekly ſum to be paid into the hands of the treaſurer for every perſon admitted into the poor houſe, eſtimating it as near as they can to the probable expence of maintaining them; the guardians ſhould pay to the treaſurer,

treafurer, at every monthly meeting, what ſhall be due for every ſuch perſon, upon that calculation, for the time he has been kept there in the month preceding; and, in order to avoid fractions, if any perſon ſhall have been there four days, or more, in any of the weeks, it ſhould be conſidered as a full week, and if leſs than four days, no charge ſhould be made for it: that, in order to avoid difficulties in adjusting the account, a table ſhould be provided, in like manner as before, and fixed up in the houſe, with proper columns for the number of perſons, the number of weeks, and the total amount, according to the weekly ſum ſo agreed upon; by which that account will likewiſe be ſettled without the leaſt trouble or difficulty.

The ſeveral monthly ſums paid by each pariſh on this ſecond account, and alſo the groſs ſums, ſhould be entered in the treaſurer's books; and at the end of the year it ſhould be computed whether the payments by the ſeveral pariſhes have amounted to more, or leſs, than the ſum expended; if to more, the guardian of each pariſh ſhould receive, if ſo leſs, he ſhould pay his proportion thereof to the treaſurer, to be computed according to the firſt account, as directed by the act.

RULES, ORDERS, BYE LAWS, and REGULATIONS,
to be obſerved and enforced at every POOR HOUSE to be provided and eſtabliſhed under the authority of the act of the twenty-second year of King George the Third.

First. **T**HAT the ſeveral perſons who ſhall be ſent to any ſuch poor houſe, who are capable of doing any work, ſhall be employed by the governor in ſome labour which may be beſt ſuited to their ſtrength and capacity.

Second. That the governor ſhall take particular care to keep the ſaid houſe, and the ſeveral apartments therein, and alſo the ſeveral perſons who ſhall inhabit the ſame, clean and wholeſome; and for that purpoſe he ſhall employ ſuch of the ſaid poor perſons who ſhall be ſent thither, whom he ſhall think moſt able and beſt qualified for the offices, to aſſiſt him therein, and alſo in the providing and dreſſing victuals for the uſe of ſuch poor perſons; and if any ſuch poor perſon ſhall reſuſe or neglect to perform the work or labour in which he or ſhe ſhall be ſo employed, or ſhall be directed to do by the governor, every ſuch perſon ſhall be puniſhed by confinement, or alteration of diet, in ſuch manner as the governor ſhall direct; and for a ſecond offence of the like ſort, complaint thereof ſhall be made to ſome juſtice of the peace for the limit, who, on conviction, ſhall commit ſuch perſon to the houſe of correction for any time not exceeding two calendar months, nor leſs than one calendar month.

Third. That the apartments in the houſe or houſes to be provided as aforeſaid, ſhall be adapted ſo as to accommodate the poor who ſhall be ſent thither in the beſt manner they are capable. — That the governor ſhall place in the beſt apartments ſuch poor perſons who, having been creditable houſekeepers, are reduced by miſfortune, in pre-
ference

ference to those who are become poor by vice and idleness; and that separate apartments shall be provided for the reception of the sick and distempred poor, and an apothecary or surgeon to be sent for to attend them when there shall appear necessity for it, at the expence of the parish or place to which such poor persons belong.

Fourth. That such poor persons who are able to work, shall be called up by ring of bell, and set to work by six in the morning from Lady-day to Michaelmas, and by eight from Michaelmas to Lady-day; and continue until four in the afternoon from Michaelmas to Lady-day, and from Lady-day to Michaelmas till six in the afternoon (meal times and times for reasonable recreation excepted); and if any such poor person shall refuse or neglect to do such work as shall be allotted him or her, or wilfully spoil the same, or depart from such house without leave from the governor, or shall be guilty of any disorder or disobedience to these rules and orders, the governor shall reprove such person for the same, and punish him or her by confinement or alteration of diet, as the said governor shall think fit; and if such person shall be guilty of the like offence a second time, the governor shall complain thereof to the visitor of such house, who is hereby authorized to order the punishment of confinement to be increased to such degree as he shall think fit.

Fifth. That the governor shall enter in a book to be kept by him, an account of the household goods, linen, furniture, and utensils provided for the said house; and also an account of the materials bought for manufacture, and of the goods manufactured there; which shall be laid before the guardians at their monthly meeting, and before the visitor whenever he comes to such house.

Sixth. That the governor shall visit the several persons maintained in such house or houses, and their apartments, once at least in every day; and shall take care that there is no waste of fire, candles, or provisions; and shall see that the fires and candles are put out at the hours fixed for such persons going to bed, which shall be at eight of the clock between Michaelmas and Lady-day, and nine between Lady-day and Michaelmas.

Seventh. That when any person shall die in the house, the governor shall take care that the body of such person be immediately removed into some separate apartment, and be decently buried, as soon as conveniently may be; and also take care of the cloaths and goods of such person, and deliver them to the guardian of the poor of the parish or place to which such person did belong, who is to pay the charges of the funeral of such poor person.

Eighth. That no poor person be permitted to go out of the poor house, nor any person permitted to come into such house or houses, except the persons maintained and employed there, without the permission of the governor; and that no spirituous liquors be permitted to be drank in such house or houses; and that no other liquors shall be brought thither, without the permission of the said governor.

Ninth. That the rules, orders, and bye-laws shall be publickly read by the governor to all the poor persons kept in such house or houses, once at least in every month.

Tenth.

Tenth. *That all the poor persons able to go to church, shall attend divine service every Sunday.*

Eleventh. *That the governor shall dismiss from the poor house, or workhouse, every person who shall, in the opinion of the guardian or guardians, be thought improper to continue longer there, and upon an order from him or them for that purpose.*

C A P. LXXXIV.

An act for better paving, cleansing, and lighting, part of the parish of Saint George Hanover Square, in the county of Middlesex, and such part of Old Bond-street as lies within the parish of Saint James, in the said county; and for removing and preventing nuisances and annoyances therein.

Recital of 2 Geo. 3. c. 21. 3, 4, 5, 6, and 11 Geo. 3. And that the greatest part of the parish of Saint George was paved, whereby a debt was incurred of more than 40,000*l*. Former acts, so far as they relate to Saint George's parish, and to such part of Old Bond street as lies in the parish of Saint James, (except as after-mentioned) repealed. From June 24, 1782, the power of paving, cleansing, and lighting the said parish and street aforesaid, vested in the rector, churchwardens and vestrymen for the time being; who may appoint a committee to meet yearly the second Thursday in February, between 10 and 2 o'clock, to elect a committee of 24; 4 out of each ward and 4 out of Bond-street. Qualification of committee men 2,000*l*. real or personal, or both together. Penalty on acting if not qualified 100*l*. Proceedings of the committee to be entered in books, and may be read in evidence. Books may be inspected by the rector, churchwardens and vestrymen, or their clerk. Committee to meet in 14 days after they are chosen, and after as often as they shall think fit, and three to be a quorum; and if no adjournment, to be eight days notice of the next meeting. Committee to pay their expences. No act to be valid unless made at meetings, &c. All acts done by the major part present at meetings valid. Committee may appoint officers, and allow them salaries. Officers to account upon oath quarterly. Penalty on default 10*l*. and an action may be brought for the balance, and penalty in the name of seven committee men, or their clerk, or the balance may be levied by distress. On failure of distress, offender to be committed till payment. Committee may remove annoyances, and levy the expences from the owners or occupiers. Committee may make contracts for paving, &c. All contracts to be made between Feb. 28, and June 1. Scavenger to contract. Committee may enforce the performance of former as well as new contracts. Former contracts to continue in force, and arrears to be collected. Works to be inspected, and on nonperformance of contracts, actions may be brought for recovery of the penalties. Committee may compound with persons for breach of contracts. Inhabitants to give notice to the surveyors when pavements want repairs, who shall inspect the same. If the pavements complained of are found defective, the committee to direct the same to be repaired. Pavements, &c. vested in the committee; who may sell or otherwise dispose of the old materials, and may hire a piece of ground for depositing the materials. Penalty on persons taking or stealing the materials, or breaking, or damaging the same, subject to action or indictment; and for the first offence not more than 40*s*. nor less than 10*s*. for the second, or other offence, not more than 3*l*. nor less than 20*s*. Persons taking with iron between the stones, or injuring pavements, to forfeit 5*s*. Penalties may be levied by distress, or offender committed for a month. Names of streets to be put up, and houses numbered. Scavengers to attend once every week, and go into houses, &c. where dust is kept, and give notice by a bell: on neglect to forfeit 5*s*. Penalty on any person carrying away cinders or ashes, not being the scavenger, 10*s*. Penalty on the owner of the cart in which such cinders or

Power to borrow money at a lower interest, to discharge securities at higher interest. Committee to state accounts to the vestry twice a year, at Lady-day and Michaelmas, or in a month after. Poor's rates may be inspected by an order from the committee. Vestrymen may prevent the passage of carriages in Maddox-street and Mill-street during divine service on Sundays and holidays. Penalty on persons occasioning annoyances by carriages in the streets 5s. and horses, &c. may be seized, &c. Penalty on persons occasioning other annoyances, and not removing the same, 40s. and not less than 5s. and materials, &c. may be seized. Penalty if annoyances are continued after notice for their removal, 10s. for every offence. No hoards to be erected without licence from the surveyor, who shall grant the same on application. Hoards to be made agreeable to the licence, under a penalty for every twelve hours 20s. and not less than 5s. Materials may be seized, and if the penalty is not paid in five days may be sold. Penalty on sitting lime, except in the hoards, 40s. Penalty on driving carriages, &c. on the foot pavements, 10s. for the first offence, 20s. for the second offence, and 40s. for the third, or other offence, and for default of payment offender may be committed for ten days, and not less than three days. Scavengers not to sweep dirt into common sewers, &c. on penalty of 10s. one moiety to the person who apprehends the offender, and on nonpayment the offender to be committed to hard labour for a month, and not less than seven days. Directing the times for emptying boghouses, and laying the soil, between twelve o'clock at night and five in the morning from Michaelmas to Lady-day, and till four in the morning the other half year. The offender may be committed to hard labour for a month, and not less than ten days, and the committee may reward the apprehender with not more than 20s. to be paid out of the rates. If water-pipes belonging to water companies shall burst, the same, and the pavement opened on account thereof, to be repaired by their pavior on notice given. Penalty on default 5l. On the bursting of water-pipes not belonging to water companies, the same, and the pavement opened on account thereof, to be repaired, under a penalty for default 5l. For relaying the pavement in a certain time after being taken up for the purpose of amending the pipes, &c. two days after notice, and if it fails in four months to be repaired on two days notice. If no pavior to the water company, the notice to be given to their clerk. On default, neglect, or refusal to repair the water-pipes, and the pavement opened on account thereof, the committee to cause it to be done, and may recover the expence from the company, or person who shall have neglected or refused. Commissioners of sewers to repair drains, &c. or the committee may cause the same to be done. Expence to be paid by commissioners of sewers. The committee impowered to act as commissioners of sewers. Streets, &c. part of which are in Saint George's parish, and part in an adjoining parish, to be paved, &c. as usual. Committee obtaining a verdict, defendant to pay treble costs. No action to abate on the death or removal of the clerk. Expences of the act to be paid out of the money arising by virtue thereof. Writings to be without stamps. Directing the recovery and application of penalties by distress, on warrant of two justices, and sale of goods, or in default the party may be committed to the house of correction for two months, or till penalty paid to the banker. Inhabitants to be allowed to give evidence. Justices to proceed for conviction of offenders, according to this form of conviction, viz.

*City and Liberty
of Westminster,
to wit.*

BE it remembered, That on the _____ day
of _____ in the _____ year of the
reign of his Majesty _____ A. B. is convicted
before _____ of his Majesty's justices of the
peace for the said city and liberty, by virtue of an act of
parliament, made in the twenty-second year of the reign of
his majesty King George the Third, intituled, [Here set
forth the title of the act, and specify the offence, and the
time and place when and where the same was committed,
as the case shall be.]

Given under our hands and seals, the day and year aforesaid.

Distress

Distress not deemed unlawful for want of form. Proceedings not to be quashed for want of form, &c. Plaintiff shall not recover if sufficient assumpsits tendered before action be brought. Persons aggrieved may appeal to the quarter sessions. Places exempted out of this act, viz. Berkeley Square, Grosvenor Square, and the streets adjoining, directed to be paved, &c. by 7 Geo. 3. c. 54. or by 14 Geo. 3. c. 52 that part of Piccadilly, from Clerges-street to Hyde Park corner, and from the South end of Park-lane to the north end of Hertford-street, and all the parish of Saint George, under any turnpike act; or which hath not been rated by the parochial committee, (except Old Bond Street, New Bond Street, Blenheim Street, and part of Stafford Street). Streets, &c. belonging to palaces exempted. That Mr. Pitt's house and court-yard shall for the future be rated to Saint George's parish. Inhabitants charged under this act to be exempted from the office of scavenger, and the hanging out lights, and returns of annoyance jurors on account of defective pavements, &c. And acts of 2 and 3 Wil. and Mary, and 19 Geo. 2. and all other acts, so far as they relate to those matters, within the limit of this act, repealed. The proportion of the salaries of the officers to the commissioners for the parish of Saint George Hanover Square, from the 25th of June next to cease, and not to be charged to any other parish; but the committee under this act to pay their proportion of the commissioners' expences, for two years from the same time, so long as the other parishes are liable thereto. Limitation of actions not till after 21 days notice to the vestry or clerk, nor after six months, and to be laid in Middlesex. The defendant may plead the general issue, and give the special matter in evidence, and have treble costs. To be a publick act.

C A P. LXXXV.

An act for the improvement of Portman Square, within the parish of Saint Mary le Bone, in the county of Middlesex.

Reciting that the hon. William Portman, being seized of Portman Square, did demise the buildings, &c. to William Baker, for years which will expire at Lady, 1863; and by the leases a rent of 36 l. 12 s. 7 d. per annum was provided for lighting, painting, and repairing the enclosed part, which having been enlarged, the said rent was not sufficient therefore. Hon. William Portman, his heirs and assigns; Peter William Baker, his executors, administrators, and assigns; and John Elwes, esquires, together with all the occupiers or inhabitants appointed trustees, who are to meet as they think proper, on seven days notice. Women inhabitants may act as trustees by proxy of any other trustee. Trustees may appoint officers, and allow them salaries. Three trustees to be a quorum. Proceedings to be entered in a book. Power of fencing and embellishing the garden vested in trustees. Nothing in the act shall alter the inheritance of the garden. Materials vested in trustees. Penalty on damaging the iron rails, lamps, &c. for the first offence 40 s. and not less than 10 s. for the second, or other offence, 3 l. and not less than 20 s. and also to make satisfaction for damages. For preventing annoyances, by laying dirt, &c. standing with hackney coach or riding horses, &c. to forfeit 20 s. Rates, &c. for the several purposes of the act twice, or oftener, every year, upon all inhabitants of houses and premises built, or to be built, encompassing or abutting upon the said square, and also of all houses built, or to be built, in the four angles or corners of the several streets leading into the said square, not to exceed 6 d. in the pound per annum. Empty houses to be exempted from the rate during their being unoccupied. Houses let to ambassadors shall be paid by the proprietors, or the first, or other tenant, to be deducted out of rent. Premises within the limits of the act, which are rated jointly with others, may be rated in proportion. Appeal to quarter sessions. Lessees, &c. subject to the payment of rates of houses let to lodgers. Persons occupying separate apartments liable to pay rates, who may deduct the same from their next rent. Persons removing, and others succeeding them, to pay due proportions, to be settled by two justices.

juftices. Commencement of the rates from the 24th of June, 1782, and the firft payment to be on the 29th of September, and rates payable quarterly. Peter William Baker, elq; to pay the balance of the annual rent, and afterwards the whole of the rent to the treafurer of the trustees; and fhall be difcharged from ufes thereof by the faid leafe. Trustees may borrow not more than 1,000l. on annuities, payable half yearly. To be deemed perfonal eftate, and not fubject to taxes; or may borrow the fame at intereft, if they think fit; and may affign the rates as a fecurity. Notice to be given previous to raifing of money, fourteen days in the London Gazette, or other newspaper. Securities to be entered in books. Arrears of rates if refufed or neglected to be paid, or that the party removes or fells their goods to be recovered by diftreff under warrant of two juftices, and fold in five days. Treafurer and collector to account. Penalty on default, 5 l. and fubject to action. Money paid by the treafurer to be entered in a book. Expences of this act to be paid out of the firft money raifed. Writings may be without ftamps. Penalties and forfeitures to be recovered by diftreff, under warrant of a juftice, and fale of goods: to be applied for the purpofes of this act; and in default, the offender may be committed for a month, and not lefs than feven days, if not paid. Diftreff not to be deemed unlawful for want of form. Proceedings not to be quafhed for want of form, or be removed by Certiorari. Perfons aggrieved may appeal to the quarter feflions; giving ten days notice. Limitation of actions, not till twenty one days notice to the clerk, or after three months. Defendant may plead the general iflue, and have treble cofts. This act not to affect any other acts relative to the parifh of Marybone, and to be a publick act.

C A P. LXXXVI.

An act for explaining and amending two acts, one made in the eleventh, and the other in the feventeenth year of his prefent Majefty, for paving certain ftreets in the parifhes of Saint John of Wapping, and Saint George in the county of Middlefex, and for other purpofes; and for extending the provifions of the faid acts to other parts of the faid parifhes, and alfo for opening certain communications within the faid parifh of Saint George.

Recital of 11 Geo. 3. c. 21; and 17 Geo. 3. c. 22. Red Lion Street and Queen's Head Alley, and the feveral other ftreets, &c. in the parifh of St. John of Wapping, made or to be opened (except thofe paved by the laft act) and fo much of Wapping High Street as lies in the parifh of St. George, and of St. Paul, Shadwell, and fo much of Old Gravel Lane as lies in the faid parifh of St. George, fo far as the meffuages, &c. adjoining the faid ftreets, &c. extend, and alfo the feveral ftreets, &c. to be opened by an act of this feflion, cap. 35. to be the diftrict of the commiffioners under the firft recited act; and all the ftreets, &c. in the parifh of St. George, and thofe lying on the eaft fide of Old Gravel Lane, and alfo the ftreets, &c. to be opened by 11 Geo. 3. c. 23. and to the extent of the meffuages, &c. in or adjoining the fame, to be the diftrict of the commiffioners under the fecond recited act. Two undivided third parts of tenements in Wapping High Street, in the parifh of St. George, to be in Wapping diftrict, the remaining third part in St. George's diftrict. Meffuages, &c. lying behind thofe pulled down, or built in their room, to be in the diftrict where the others flood. Powers of former acts extended to this act. Power, to raife money, as directed by former acts. Streets, &c. to be paved, viz. in the firft diftrict fo much of Nightingale Lane as lies in St. John's, Wapping, Church Street, Upper Gun Alley, Upper Well Alley, and the ftreets to be opened by cap. 35. of this feflion; and in the other diftrict, Hillier's Court, King Street, Charles Street, Ratcliff Street, weft fide of Blue Gate Fields, Prufon's Ifland, Ship Street, Gould Street, Silver Street, Pearl Street, Princes Street, Fawden Fields, the avenue of Old Gravel Lane, Harrow Alley, Old Starch Yard, Seven Star Alley, Star and Garter Yard, Denmark Street, Betts's Street, Pell Street, and Bell Alley. Rates to be made

made for paving streets, &c. Annuities at 10l. per cent. per ann. In the first district to raise 3,400l. in the other district 7,200l. An account to be kept in each district. Only 6d. in the pound for footways. Waste lands, &c. belonging to the city of London, or Christ's, Bridewell, and St. Thomas's hospitals not to be assessed without the consent of the governors. Accounts for new district to be kept separate. No other streets to be paved, but by the petition of two thirds of the householders, landlords, or owners. Such petition to be signed by tenants in possession for life or years, or agents of bodies corporate sufficient. Commissioners acting under 17 Geo. 3. c. 22. impowered to raise money for paying the expences of paving Red Lion Street, and Queen's Head Alley. Rates to stand charged on messuages and goods found therein. No tenant's goods to be subject to rates for any longer term than he has occupied the premises. Notice of appeals in writing to be read in and fixed on church doors three days before hearing complaints. Rates to be recovered against tenant or landlord by action, &c. at Westminster, or an inferior court, if 40s. or upwards, and if under, in the court of requests, with costs, in the name of the collector, or other person, as the commissioners shall appoint. No action to be brought against the collector but in the court of requests, unless for 40s. or upwards. No goods, &c. to be set out in the streets. Communications to be opened between Hermitage Street and Virginia Street, and between Hermitage Street and Bird Street, and also between Old Gravel Lane and New Gravel Lane. No rate to be made on the houses, &c. in or near the opening between Old and New Gravel Lane, till the same is made, &c. And William Stokes to be first paid 44l. for paving. All acts to be done by the major part of commissioners at meetings, if not less than five. Expences of this act to be paid (except 15l.) out of any money arising by 17 Geo. 3. c. 22. Limitation of actions for acting under this act, not till thirty days notice, nor after tender of amends, or after six months. The defendant may plead the general issue, and have treble costs. To be a publick act.

C A P. LXXXVII.

An act for paving, and freeing from nuisances and annoyances, the several streets, ways, and places, within the parish of Saint Anne, in the county of Middlesex. and Queen Street and London Street, in the hamlet of Ratchiffe, within the said parish; and for making ways or streets into the street called Kisby's Rope Ground, and through or across Shoulder of Mutton Alley, and a street called Ropemaker's Fields, to Three Colt Street, and from the bridge in the said street called Kisby's Rope Ground into Three Colt Street aforesaid.

When any commissioner dies, refuses to act, or is declared a bankrupt, or ceases to reside, or be owner of an estate within the limits of the act, or neglects to attend meetings for twelve months together, (except in case of sickness, or other unavoidable cause) the other commissioners to elect others in their room, on ten days' notice, fixed on the church door of St. Anne's church. Qualification of commissioners, 50l. per ann. freehold or copyhold, or 1,000l. personal estate. Penalty on acting if not qualified, 50l. Commissioners to take the following oath.

I A. B. do swear, (or, being of the people called Quakers, do affirm), that I truly and bona fide am in my own right, or (if married) in the right of my wife, in the actual possession and enjoyment, or receipt of the rents and profits of lands, tenements, or hereditaments, of the clear yearly value of fifty pounds above reprises, or possessed of or entitled to personal estate to the amount of one thousand pounds, over and above payment of my debts.

So help me GOD.

Proceedings to be at publick meetings only. Five to be a quorum. First meeting of commissioners to be on the second Monday after passing the act.

act. If at any meeting a proper number do not attend, the clerk may appoint another meeting, giving six days' notice fixed to the church door. In case of the clerk's death, &c. meetings may be appointed by two commissioners. Commissioners to bear their own expences. No person capable to act who holds any place of profit, &c. Commissioners may appoint officers, and allow them salaries. Officers to give security; and to account on oath. Money in hand, books, &c. to be delivered up on demand, and in case of refusal for twenty-four hours actions may be brought, or on complaint a justice may grant a warrant to proceed by distress and sale. On failure of distress, &c. offender to be committed till payment, or for six months. On death of officers, &c. executors to account. In case of nonpayment, actions may be brought against executors, &c. Penalty on officers taking any reward other than their salaries, or being concerned in any contract, 100*l*. New carriage and foot ways from Queen Street into the street called Ribby's Rope Ground, and through or cross Shoulder of Mutton Alley into Fore Street, and from thence through a street called Ropemaker's Fields to Three Colt Street, and from the bridge in Ribby's Rope Ground across certain lands into Three Colt Street. Persons under incapacities impowered to sell and convey lands, &c. In case of refusal to treat, a jury shall be summoned. Jurymen may be challenged. Witnesses to be examined upon oath. Jury to assess the value of lands, &c. and damages. Verdict of jury, &c. to be final. Upon payment of the sums assessed, lands, &c. to be conveyed to the commissioners. On failure in making out a good title, or in executing conveyances, the money to be paid into the bank, &c. Judgements to be registered. Immediately after verdict, decrees, &c. and payment; lands, &c. vested in the commissioners. At the request of the parties, purchase money may be placed in the funds. Persons intitled to the mesne profits to receive the dividends. In case of nonpayment, the verdict, &c. not binding. Purchase monies may be laid out in lands, &c. for the former uses. Conveyances to be legal, notwithstanding want of title. Claims to be made in five years, or the commissioners to be quieted in possession. Persons barred may bring actions for monies received for their use. Tenants at will, and lessees for a year, to quit. Mortgagees required to assign mortgages, on payment of principal and interest, &c. In case of refusal, money to be paid into the bank. All sums paid to be chargeable on monies raised for making the said openings according to this act. Penalty on sheriffs, jurymen, &c. neglecting their duty, a fine of 10*l*. Overplus ground may be sold. Commissioners impowered to pave the streets, &c. at present built within the parish of St. Anne Limehouse, and also Queen Street and London Street, and the said ways intended to be made, and to remove annoyances. Commissioners may sell the old materials. Any person repairing pavement, other than those employed by the commissioners, or obstructing the work, to forfeit 40*s*. Property of pavement and materials vested in the commissioners. Pavement may be taken up for repairing water-pipes, &c. Fencing in and lighting the ground, and giving notice thereof within six hours after finished to the commissioners' paviour, on penalty of 40*s*. and he is to proceed in one day after to pave the same on penalty of 40*s*. Commissioners may contract for paving pipe trenches. Charges of repairing pavement taken up, to be paid by persons occasioning the damage. Paviours to the water companies to give notice to the commissioners' clerk of their names and places of abode, on penalty of 20*s*. Water companies to repair their pipes within two days after notice. Pipes broken, not belonging to the company whose paviour shall open such ground, to be paid for his trouble by the proprietor of such pipes. Proprietors of ruinous drains to repair them; and in case of default, the commissioners to repair them at the proprietors' expence. Commissioners of sewers to be summoned when any repair of sewers, &c. is wanted. Penalty on laying goods, &c. in the streets; or obstructing the same by carriages, 40*s*. Carriages and things causing obstructions may be seized. Penalty on driving wheel-barrow, &c. on the foot pavements, 10*s*. Hoards may be erected for building or repairing houses. Inhabitants to sweep the foot-paths between seven and nine o'clock every day on penalty of 5*s*. Houses to be

be numbered, and names of streets, &c. to be fixed on the corner houses. Penalty on defacing such numbers, &c. 5l. Projections, &c. to be removed on penalty of 5l. and also 20 s. a week during continuance. Rates to be made when the streets, &c. are ordered to be paved (which is to be proceeded in within three months, and completed in reasonable time) not exceeding 7d. 6d. in the pound yearly, to be paid quarterly or oftener. For proportioning the rates, one third to be paid by the proprietor, and allowed out of rent. Tenants of divided houses to pay the rates. The new streets to be paved out of the monies collected within the same only. Rates to be signed by two justices. If tenants refuse to pay, rates may be recovered by distress and sale, by warrant of two justices. If no distress can be found, the party to be committed for three months, nor less than one month, or till payment with costs. All persons in arrear may be comprized in one warrant, or schedule thereto. Places of publick worship, &c. shall be rated at 6d. a year for every square yard of pavement lying in the front of such premises to be measured to the middle line of the street. Such rates shall be paid, for every church and churchyard by the churchwardens, for every piece of vacant ground by the proprietor, for every meeting house by the proprietor, trustees, &c. and for every hospital, prison, or other publick building by the treasurer, &c. to be recovered by action at Westminster, or in the court of requests for the tower hamlets, if under 40 s. with costs, in the name of the collector, or as the commissioners shall appoint. Waste or vacant ground to be fenced in at the expence of the owner. Occupiers quitting tenements, &c. without paying rates, may be followed. Persons paying these rates, exempted from all other expences of paving. Agreements between landlord and tenant not vacated. If collectors become insolvent, the money to be again assessed. Commissioners may borrow money at interest, or raise money by sale of annuities at 10l. per cent. and not more than 5,000l. in the whole. Provide, for Three Colt Street not more than 600l. Commissioners may order repayment of monies borrowed at interest, &c. Annuities, &c. may be assigned. As annuitants die, the rates to be lowered. When annuities cease by death, other annuities may be sold. Expences of this act to be paid out of the first money raised by virtue of this act, and divided, proportioned and charged upon the streets, &c. already built, and on those intended, when built, as the commissioners shall determine; and any person advancing money for the above purpose, to have full interest. For making up a general account of receipts and disbursements yearly in the month of June. Penalties may be mitigated to not less than a moiety. Commissioners who are justices may act in any appeal, &c. as any other justices; and bring actions. Persons aggrieved may appeal to the sessions; giving 21 days notice. Penalties and forfeitures to be recovered by distress and sale of the offender's goods, by warrant from a justice, to be applied for the purposes of the act, and on nonpayment, and no distress, the party may be committed for three months, and not less than 14 days, unless paid with costs in the mean time. Commissioners may reward informers. Distress not to be deemed unlawful for want of form. Plaintiff not to recover, if tender of amends hath been made. Writings to be without stamps. Proceedings to be entered in a book to be signed by the clerk, to be deemed original orders, and may be given in evidence. Proceedings not to be quashed for want of form, or removed by Certiorari. Limitation of actions for acting under this act, not till 20 days notice to the clerk, or after satisfaction, or tender of amends, or after three calendar months. The defendant may plead the general issue, and give this act and the special matter in evidence, and have treble costs. This to be a publick act.

C A P. LXXXVIII.

An act to continue the term of an act, made in the twenty-fourth year of the reign of his late majesty King George the Second, for repairing and widening the road from Preston to Lancaster,
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and from thence to a place called *Heiring-fyke*, that divides the counties of *Lancſter* and *Wefmorland*.

C A P. LXXXIX.

An act for extending the provisions of an act, made in the thirteenth year of his prefent Majeſty, for more effectually amending ſeveral roads leading from the borough of Truro, in the county of Cornwall, to the roads leading from Sporlanes End, in the pariſh of Kenwyn, to Calleſtock Burrow, and from The Two Burrows, in the ſaid pariſh, to Perran almſhouſe, and from The Three Burrows, in the ſaid pariſh, to Saint Agnes almſhouſe, in the ſaid county.

C A P. XC.

An act for enlarging the term and powers of an act, paſſed in the firſt year of the reign of his prefent Majeſty, for repairing and amending the road leading from White Croſs, in the pariſh of Leven, in the eaſt riding of the county of York, to the town of Beverley, in the ſaid county.

C A P. XCI.

An act to confirm, and carry into execution, certain articles of agreement entered into between the right honourable James earl of Salisbury, and the truſtees appointed by and under ſeveral acts of parliament, for repairing the road leading from Galley Corner adjoining to Enfield Chace, in the pariſh of South Mims, in the county of Middleſex, to Lemmsford Mill, in the county of Hertford; and for turning and altering the ſaid road, in the manner mentioned in the ſaid agreement.

C A P. XCII.

An act for continuing the term, and altering and enlarging the powers, of an act, made in the thirty-third year of his late Majeſty, for repairing ſeveral roads leading to the town of Oakhampton, in the county of Devon.

C A P. XCIII.

An act to continue and enlarge the term and powers of an act, made in the firſt year of the reign of his prefent Majeſty, intituled, An act for amending and widening the roads from the turnpike road upon Gatherley Moor, in the county of York, to Staindrop, in the county of Durham; and from the ſaid turnpike road near Smallways, acroſs the river Tees, to Winſton, in the ſaid county of Durham; and for building a bridge over the ſaid river at or near Winſton Ford.

C A P. XCIV.

An act for enlarging the term and powers of an act, made in the thirty-second year of the reign of his late majesty King George the Second, intituled, An act for repairing and widening the roads from a place called Littlegate, at the top of Leadenham Hill, in the county of Lincoln, to the west end of Barnby Gate, in Newark upon Trent; and from the guide-post at the division of Kelham and Muskham lanes to Mansfield, and from Southwell to Oxtun, in the county of Nottingham; and for repairing the road from the west side of Newark Bridge to the said guide-post.

C A P. XCV.

An act for continuing the term, and altering and enlarging the powers, of an act of the second year of his present Majesty, for amending and widening the road from the market-house in Stourbridge to Colly Gate, in Cradley, and other roads therein mentioned, in the counties of Worcester, Stafford, and Salop, so far as the same relates to the roads leading from the market-house in Stourbridge to Colly Gate, and from Pedmore to Holly Hall, and from Colly Gate to Halefowen; and for opening a more commodious communication with the Birmingham turnpike road.

C A P. XCVI.

An act for continuing the term, and altering and enlarging the powers, of an act, of the first year of his present Majesty, for amending and widening the road from the town of Stone to Wordsley Green Gate; and from the west end of Bilston Street, in Wolverhampton, to The High Street, opposite The Old Bush, in Dudley; and from a place called Burnt Tree, near Dudley, to Birmingham; and from The Market Cross in Wolverhampton, to Cannock; in the counties of Stafford, Worcester, and Warwick.

C A P. XCVII.

An act for enlarging the term and powers of an act, made in the thirty-third year of the reign of his majesty King George the Second, intituled, An act for amending and widening the road from Bawtry to Sheffield, and from Sheffield to the south side of Wortley, in the county of York, where it joins the turnpike road leading from Rotherham to Manchester, so far as the same relates to the road leading from Bawtry aforesaid to Tinsley, and through part of the town of Tinsley, to the place where the same joins the road leading from Rotherham to Sheffield.

C A P. XCVIII.

An act for continuing the term and altering the powers of an act of the first year of his present Majesty, for amending the road from
O 2 Dartford

Dartford to Northfleet, and other roads therein mentioned, in the county of Kent; and for allowing an annual payment out of the tolls arifing upon the laid roads, to the truftees for the ufe of the road leading from Rochefter to Maidftone, in the laid county, to be applied for the purpofes therein mentioned.

C A P. XCIX.

An act for enlarging the term and powers of an act, of the tenth year of his prefent Majefty, intituled, An act for repairing and widening feveral roads leading to and through the borough of Tamworth, and other roads therein mentioned, in the counties of Stafford, Warwick, and Derby.

C A P. C.

An act for amending and keeping in repair the roads leading from the Willerfley turnpike road, near Parton, to Monkland Mill; and from the turnpike road on Fair Mile Field, to the turnpike road at Broad Heath; and from the turnpike road at or near the Fords Bridge, to the turnpike road near Stockton; and from Kyre Common, to the turnpike road at Grendon Green, in the counties of Hereford and Worcester.

C A P. CI.

An act to enlarge the term and powers of an act, made in the firft year of the reign of his prefent Majefty, for repairing and widening feveral roads leading to and through the towns of Weymouth, and Melcombe Regis and Dorchefter, in the county of Dorfet; and for repairing the road leading from the parifh of Warmwell, through the parifhes of Poxwell and Olmington, to the church in the laid parifh of Olmington, in the laid county of Dorfet.

C A P. CII.

An act for continuing the term of an act, made in the fecond year of the reign of his prefent Majefty, for amending and widening the road leading from the high poft road near the town of Faverfham, by Bacon's Water, through Afbford, to the town and port of Hythe, in the county of Kent; and from Bacon's Water, to a certain lane called Holy Lane, in Wincheap, near the city of Canterbury.

C A P. CIII.

An act for revifing and continuing the term, and enlarging the powers, of an act of the thirtieth year of his late Majefty, intituled, An act for amending, widening, and keeping in repair, feveral roads in and near to the town of Tenbury, in the counties of Salop, Worcefter, and Hereford; and for amending
and

and keeping in repair the roads leading from The Knowle Gate to the turnpike road on the Clee Hill, leading from Ludlow to Cleobury Mortimer, and from Kyre Mill to the turnpike road leading from Bromyard to Tenbury in the said counties.

C A P. CIV.

An act to continue and enlarge the term and powers of an act, made in the thirty-third year of the reign of his late majesty King George the Second, for repairing and widening the roads from Haleworthy, in the parish of Davidstow, in the county of Cornwall, to the east end of Wadebridge, in the said county; and from the west end of Wadebridge aforesaid, into and through the borough of Mitchell, in the said county.

C A P. CV.

An act for amending, widening, and keeping in repair, the road from Wrexham, in the county of Denbigh, to Barnhill, in the county of Chester.

C A P. CVI.

An act for repairing and widening the road from Tarporley, in the county palatine of Chester, to Acton Bridge, near Weverham, in the same county.

C A P. CVII.

An act for enlarging the term and powers of so much of an act, made in the second year of the reign of his present Majesty, intituled, An act for repairing and widening the high road leading from Ashborne, in the county of Derby, to the town of Leek, in the county of Stafford, and from Ryecroft Gate, upon Rushton Common, to Congleton, in the county of Chester; and also the road leading from Blyth Marsh, in the county of Stafford, through Cheadle, Oakamoor, and Blore, to the turnpike road, from Ashborne to Buxton, near Thorp, in the county of Derby; as relates to the district of road between Ashborne and Congleton; and for repairing the road from the end of Ashborne Churchyard to the top of The Dig Street, in Ashborne aforesaid.

C A P. CVIII.

An act to enlarge the term and powers of an act, passed in the thirty-third year of the reign of King George the Second, for repairing the roads from the town of Brecon, to the parish of Brobury, and to Whitney Passage, in the county of Hereford; and for building a bridge over the river Wye, at Bredwardine Passage, in the same county; so far as relates to such of the roads comprised in the said act as lie in the county of Hereford.

C A P. CIX.

An act to enlarge the term and powers of an act, passed in the second year of his present Majesty, for repairing and widening the road from the turnpike road at Wey Hill, in the county of Southampton, to the turnpike road at Lyde Way, in the county of Wilts.

C A P. CX.

An act to continue the term and alter the powers of an act, made in the twenty-ninth year of the reign of his late majesty King George the Second, intituled, An act for repairing and widening the roads leading from a pond belonging to Henry Eyre esquire, in the parish of White Parish, in the county of Wilts, to the top of Dunwood Hill; and from thence over Great Bridge and Middle Bridge, through Romsey-infra, to Hundred Bridge, in the county of Southampton, and from thence to the county of the town of Southampton.

C A P. CXI.

An act for enlarging the term and powers of an act, made in the first year of the reign of his present Majesty, intituled, An act for repairing and widening the road from the borough of Appleby, in the county of Wiltshire, through the township of Orton, to Kirby Kendall, and from Orton to the turnpike road near Shapp, and from Highgate, near Tebay, in a part of the highway between Appleby and Kirby Kendall, through the town of Kirby Steven, to the town of Market Brough, in the said county.

C A P. CXII.

An act for repairing and widening the roads from a place called The Hardwicke, in the parish of Clifford, to Windmill Hill, and from Vowchurch to Pontrilas, in the county of Hereford.

C A P. CXIII.

An act for repairing and widening the road from the town of Brecon, through the town of Hay, in the county of Brecon; and also the road through Marish Lane, to the Builth and Hay turnpike road, near the village of Llyfwen, in the same county.

C A P. CXIV.

An act to repeal so much of an act, passed in the second year of the reign of his present Majesty, for repairing and widening the road from Flimwell Vent, in the county of Sussex, through Highgate, in the county of Kent, and the parishes of Sandhurst, Newenden, and Northiam, to Rye, in the said county of Sussex; and from Highgate aforesaid, to Cooper's Corner, in the said
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county

county of *Suffex*, and to *Tubb's Lake*, in the said county of *Kent*, as relates to the road from *Highgate* to *Tubb's Lake*, and for enlarging the term and powers of the said act with respect to the other roads therein contained.

C A P. CXV.

An act to enlarge the term and powers of several acts passed in the eleventh, twenty-sixth, and twenty-ninth years of the reign of his majesty King George the Second, for repairing the roads from Shore-ditch Church, through Hackney, to Stanford Hill, and cross Cambridge Heath, over Bethnal Green, to the turnpike at Mile End, in the county of Middlesex.

C A P. CXVI.

An act to enlarge the term and powers of two acts, passed in the second and eleventh years of his present Majesty's reign, so far as the same relate to the road from Blyth Marsh to the road leading from Ashborne to Ruxton, near Thorp, and from the road between Cheadle and Leek to the turnpike road above Frogall Bridge, and from the same road to the road at or near Ruchill Gate, in the counties of Stafford and Derby.

END OF PART I. VOL. XXXIV.

THE STATUTES at Large, &c.

Anno regni GEORGII III. Regis, Magnæ Britanniae, Franciæ, & Hiberniæ, vicesimo tertio.

AT the parliament begun and holden at Westminster, the thirty-first day of October, Anno Domini 1780, in the twenty-first year of the reign of our sovereign lord GEORGE the Third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued, by several prorogations, to the fifth day of December, 1782; being the third session of the fifteenth parliament of Great Britain.

C A P. I.

And do permit the importation of wheat, wheat flour, rye, rye flour, barley, and all sorts of corn, grain, and meal, upon payment of the low duties therein mentioned, for a limited time.

Act 13 Geo. 3, cap. 43, recited. From Dec. 25, 1782, wheat, wheat flour, rye, rye flour, barley, and all sorts of corn, grain, and meal, from any country or place whatsoever, may be imported in British or neutral vessels, upon payment of the duties mentioned in the recited act; and also the two additional 5 per cents. on those duties. Corn, &c. imported before the passing of this act, and warehoused, may be taken out, &c. on payment of the duties. This act to continue as to England, till Aug. 25, 1783, and as to Scotland, till Sept. 25, following.

C A P. II.

An act to continue an act, made in the last session of parliament, intitled, An act more effectually to prevent his Majesty's enemies from being supplied with ships or vessels from Great Britain.

Act 22 Geo. 3, cap. 71, recited, which is continued during the present hostilities.

C A P. III.

An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty three. — 1,037,627l. 9s. $\frac{1}{2}$ to be raised in Great Britain, whereof 1,989,673l. 7s. 10d. $\frac{1}{4}$ in England and Wales, and 47,954l. 1s. 2d. in Scotland at 4s. in the pound. — Loan on Exchequer bills at 4l. 10s. per. cent.

C A P. IV.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and Perry, for the service of the year one thousand seven hundred and eighty three.

Clauses in an
act 6 Geo. 3,
c. 4. sec. 7
recited

XXII. *And whereas by an act, made in the sixth year of his Majesty's reign, (intituled, An act for repealing the duties granted upon cyder and perry by an act made in the third year of his present Majesty's reign; and for granting other duties on cyder and perry in lieu thereof; and for more effectually securing the duties on cyder and perry imposed by several former acts;) a duty after the rate of sixteen shillings and eight-pence per hoghead was, from and after the fifth day of July, one thousand seven hundred and sixty-six, laid upon all cyder and perry which should be made in Great Britain, and sent or consigned to any factor, or agent who should receive the same to sell or dispose of, to be paid by such factor or agent: and whereas by the said act it was provided, That if any factor or agent should, during the continuance of an act of the said sixth year of his Majesty's reign, for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and sixty-six, be charged with and pay the duty of four shillings per hoghead upon any quantity of cyder or perry thereby granted, and chargeable upon him or her as receiver thereof, such factor or agent should, for every hoghead of such cyder or perry so charged, stand discharged of four shillings, part of the said sixteen shillings and eight-pence; and it was thereby declared, That cyder or perry made in Great Britain in no case whatsoever should be chargeable with more than sixteen shillings and eight-pence per hoghead: therefore, to prevent any doubts or difficulties with respect to the charging or payment of the duties hereby continued or granted, and to secure the cyder and perry, in the possession of such factors and agents, from being liable to a greater duty than cyder or perry which shall be received or disposed of by other persons will be subject to; be it enacted and declared by the authority aforesaid, That in case any cyder or perry shall be received into the custody or possession of any factor or agent, for which it shall appear, by a certificate, under the hand of the proper officer of excise, that the duty continued or granted by this act shall have been charged for such cyder or perry, such factor or agent shall, for every hoghead of such cyder or perry so charged, stand discharged of four shillings, part of the said duty of sixteen shillings and eight-pence: and that cyder and perry shall not,*

Where the
duty granted
by this act on
cyder or per-
ry, in custody
of a factor,
shall be certi-
fied to have
been charged,
the factor shall
be discharged
thereof.

not, in any caſe or caſes whatſoever, be charged or chargeable with any higher or larger duty or duties in the whole (including the duty continued or granted by this act) than after the rate of ſixteen ſhillings and eight-pence *per* hogſhead, for or on account of the ſame being in the cuſtody or poſſeſſion of all or any of the perſons liable to pay any duty or duties in reſpect thereof.

XXIII. Provided always, and be it further enacted by the authority aforeſaid, That ſo much of this act, or any other act thereby referred unto, as relates to the allowing the making of compositions for the duties on malt, not made for ſale but for private uſe only, may be repealed, altered, or varied, by any act or acts to be paſſed in this preſent ſeſſion of parliament.

Compoſitions for malt made for private uſe, may be altered.

C. A. P. V.

An act for continuing an act, paſſed in the twenty-second year of the reign of his preſent Maſteſty, intituled, An act for reſtraining ſir Thomas Rumbold baronet, and Peter Perring eſquire, from going out of this kingdom, for a limited time; and for diſcovering their eſtates and effects, and preventing the transporting or alienating the ſame. — Continued during the preſent ſeſſion of parliament, but may be altered.

C. A. P. VI.

An act to continue ſeveral laws, relating to the regulating the fees of officers of the cuſtoms and naval officers in America; to the allowing the exportation of certain quantities of wheat, and other articles, to his Maſteſty's ſugar colonies in America; to the permitting the exportation of tobacco-pipe clay from this kingdom to the Britiſh ſugar colonies or plantations in the Weſt Indies; and to the repealing the duties upon pot and pearl aſhes, wood and weed aſhes, imported into Great Britain, and for granting other duties in lieu thereof.

WHEREAS the laws herein-after mentioned have, by *expe-* Preamble.

rience, been found uſeful and beneficial, and are near expiring; may it therefore pleaſe your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That ſo much of an act, made in the tenth year of the reign of his preſent Maſteſty, as relates to the regulating the fees of the officers of the cuſtoms in America, and for extending the ſame to the naval officers there, which was to be in force from the firſt day of *Auguſt*, one thouſand ſeven hundred and ſeventy, for the term of two years, and from thence to the end of the then next ſeſſion of parliament; and which was, by three acts, made in the twelfth, fourteenth, and nineteenth years of the reign of his preſent Maſteſty, further continued until the firſt day of *Auguſt*, one thouſand ſeven hundred and eighty-two, and from thence to the end of the then next ſeſſion of parliament; ſhall be, and the ſame is hereby further continued

So much of 10 Geo. 3. cap. 37.

as relates to regulating the fees of cuſtom-house officers in America,

further conti-
nued until
Aug. 1, 1786,
&c.

So much of
16 Geo. 3,
cap. 37,

as relates to
allowing the
exportation
of wheat, &c.
to his Ma-
jeſty's ſugar
colonies in
America,

further con-
tinued until
May 1, 1784.

So much of
17 Geo. 3,
cap. 43,

as permits the
exportation of
tobacco-pipe-
clay to the
ſugar colo-
nies,

further con-
tinued until
June 24, 1787,
&c.

20 Geo. 3,
cap. 25,

nued from the expiration thereof until the firſt day of *Auguſt*, one thouſand ſeven hundred and eighty-fix, and from thence to the end of the then next ſeſſion of parliament.

II. And be it further enacted by the authority aforeſaid, That ſo much of an act, made in the ſixteenth year of the reign of his preſent Majeſty, intituled, *An act for allowing the exportation of certain quantities of wheat, and other articles, to his Majeſty's ſugar colonies in America, and to the iſland of Saint Helena, and to the other ſettlements belonging to the united company of merchants of England trading to the Eaſt Indies, and of biſcuit and peaſe to Newfoundland, Nova Scotia, Bay Chaleur, and Labrador; and for indemnifying all perſons with reſpect to adviſing or carrying into execution his Majeſty's orders of council already made for allowing the exportation of wheat, and other articles; as relates to allowing the exportation of certain quantities of wheat, and other articles, to his Majeſty's ſugar colonies in America, which was to continue in force until the firſt day of *January*, one thouſand ſeven hundred and ſeventy-ſeven; and which, by ſeveral acts, made in the ſeventeenth, eighteenth, nineteenth, twentieth, twenty-ſiſt, and twenty-ſecond years of the reign of his preſent Majeſty, was continued until the firſt day of *May*, one thouſand ſeven hundred and eighty-three; ſhall be, and the ſame is hereby further continued until the firſt day of *May*, one thouſand ſeven hundred and eighty-four.*

III. And be it further enacted by the authority aforeſaid, That ſo much of an act, made in the ſeventeenth year of the reign of his preſent Majeſty, intituled, *An act for repealing the eleventh rule in the book of rates, ſo far as the ſame relates to making any allowance upon the importation of damaged currants and raiſins, and for making the importer of ſuch goods an abatement in the duties in lieu thereof; and for explaining the ſaid rule with reſpect to ſuch allowance for damage on other goods; and to permit the exportation of tobacco-pipe clay from this kingdom to the Britiſh ſugar colonies or plantations in the Weſt Indies, for a limited time; as permits the exportation of tobacco-pipe clay from this kingdom to the Britiſh ſugar colonies or plantations in the Weſt Indies; which was to continue in force until the twenty-fourth day of *June*, one thouſand ſeven hundred and ſeventy-nine, and from thence to the end of the then next ſeſſion of parliament; and which, by an act made in the twentieth year of the reign of his preſent Majeſty, was continued until the twenty-fourth day of *June*, one thouſand ſeven hundred and eighty-three, and from thence to the end of the then next ſeſſion of parliament; ſhall be, and the ſame is hereby further continued from the expiration thereof until the twenty-fourth day of *June*, one thouſand ſeven hundred and eighty-ſeven, and from thence to the end of the then next ſeſſion of parliament.*

IV. And be it further enacted by the authority aforeſaid, That an act, made in the twentieth year of the reign of his preſent Majeſty, intituled, *An act for repealing the duties payable upon pot and pearl aſhes, wood and weed aſhes, imported into Great Britain,*

Britain, and for granting other duties in lieu thereof, for a limited time which was to continue in force until the thirty-first day of May, one thousand seven hundred and eighty-three, shall be, and this same is hereby further continued until the thirty-first day of May, one thousand seven hundred and eighty-six:

further continued until May 31, 1786.

C A P. VII.

An act for the regulation of his Majesty's marine forces while on shore.—
The same as last year.

C A P. VIII.

An act for continuing several acts passed for the better regulation of lastage and ballastage in the river Thames.

Act 6 Geo. 3. c. 29, further continued until June 24, 1794, and to the end of next session.

C A P. IX.

An act for allowing the importation of rice, paddy, Indian corn, Indian meal, and maize, free from duty, for a limited time.

WHEREAS *allowing the free importation of rice, paddy, Indian corn, Indian meal, and maize, into Great Britain,* Preamble.

for a limited time, will be of great advantage, and may be the means of encouraging the making of starch from rice; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the passing of this act, it shall be lawful for any person or persons to import into Great Britain, at any time or times before the thirtieth day of September, one thousand seven hundred and eighty-three, any rice, paddy, Indian corn, Indian meal, and maize, from any country or place whatsoever, in any British ship or vessel legally navigated, or in any foreign ship or vessel, belonging to any kingdom or state in amity with his Majesty, his heirs or successors, navigated by foreign seamen, without the payment of any subsidy, custom, duty, or imposition whatsoever; any thing in any former act or acts of parliament to the contrary thereof in anywise notwithstanding.

From the passing of this act until Sept. 30, 1783, rice, paddy, Indian corn, &c. may be imported duty-free;

II. *Provided always, and be it further enacted, That a due entry shall be made, in such manner and form as were practised or used before the making of this act, of all Indian corn, Indian meal, and maize, which shall be imported or brought into this kingdom, by virtue of this act, before the said thirtieth day of September, at the custom-house belonging to the port into which the same shall be imported or brought in; or otherwise, in default of making such entry, such Indian corn, Indian meal, and maize, shall be liable to such and the same duties as were payable upon the importation thereof before the making of this act;*

provided due entry thereof be made on importation.

any thing herein contained to the contrary notwithstanding, and fuch Indian corn, Indian meal, and maize, may be carried coastwife, under fuch regulations, as wheat, wheat flour, and pulfe, of the growth of this kingdom, are now allowed to be carried coastwife, at all times before the faid thirtieth day of September, one thoufand feven hundred and eighty-three.

C A P. X.

An act for further continuing an act, made in the nineteenth year of the reign of his prefent Majesty, for allowing the importation of fine organzined Italian thrown filk in any fhips or veffels, for a limited time.

Acts 19 Geo. 3. c. 9. 20 Geo. 3. c. 4. and 21 Geo. 3. c. 6. further continued until March 25, 1784.

C A P. XI.

An act to amend an act, made in the twenty-fourth year of the reign of King George the Second, intituled, An act for the more effectual fecuring the duties upon tobacco; to prohibit the importation of currants into Great Britain in fmall packages; to repeal fuch part of the proviso in an act of the eighteenth year of the reign of his prefent Majesty, as permits Portugal and Spanifh wines, and other wines, (except French wines) to be imported in fmall casks for private ufe; and for taking off the inland duty payable upon the importation of cocoa nuts into this kingdom; upon the exportation thereof as merchandize.

Preamble.

24 Geo. 2.
c. 4¹, recited.

WHEREAS by an act, made in the twenty-fourth year of the reign of his late majesty King George the Second, intituled, An act for the more effectual fecuring the duties upon tobacco; it is, amongst other things, enacted, That no tobacco or tobacco stalks exceeding twenty-four pounds weight, nor any snuff exceeding ten pounds weight, shall be in any form or manner whatsoever removed, carried, or conveyed by land, from any port or place of importation in Great Britain, to any other port or place within this kingdom, without a certificate being first had and obtained from the collector and comptroller, or other chief officers at the port or place where the tobacco was imported, that the duties thereof were paid or fecured in the manner directed by the faid act; and whereas great quantities of tobacco are clandestinely run on shore at feveral of the out-ports of this kingdom, and fuch tobacco, and great quantities of tobacco stalks, and snuff manufactured from tobacco, fo clandestinely run on shore, are afterwards removed from fuch out-ports, to other ports and places in the country, and from thence conveyed into London, and parts adjacent thereto, without the certificates directed by the faid recited act, under a pretence that fuch tobacco, tobacco stalks, and snuff, are not removing from the port or place of importation, whereby the good purposes intended by the faid act have been and may be defeated, to the great prejudice of the publick revenue and the fair trader: for remedy whereof, may it please your Majesty that it may be enacted, and be it enacted by the King's moft excellent

lent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twenty-fifth day of *March*, one thousand seven hundred and eighty-three, no tobacco, or tobacco stalks, exceeding twenty-four pounds weight, nor any snuff exceeding ten pounds weight, which shall have been removed or carried by land from the port or place of importation in *Great Britain*, to any other port or place within this kingdom, shall be afterwards removed or carried to any other port, town, or place whatsoever in *Great Britain*, without a certificate being first had and obtained from the collector and comptroller, or the chief officers of the customs at the port or place from which such goods are intended to be so removed; but if there is not any officer of the customs residing at such place, then from the officer of excise for the division with whom the former certificate was entered, that it appears to them, by the entries of the certificate or certificates in their books upon their former removal, that the duties for such tobacco or snuff, or that the duties for the tobacco from which such tobacco stalks or snuff were respectively stripped or manufactured, as the case may be, were paid or secured at the port or place of importation; and also by what carriage such goods, and every part thereof, came, and were before removed as aforesaid, and the time when; and also that the person or persons who shall apply to him or them for such certificate had made oath to the truth thereof: and before any such certificate shall be granted, the proprietor of such tobacco, tobacco stalks, or snuff, or the factor or agent applying for the same, shall describe and insert on the back of such certificate, in a fair and legible manner, the names of each particular package in which such goods are contained, together with the particular marks and numbers set on each package, and also the true and exact weight of each particular species of goods contained in each particular package, and the place from whence the same are to be delivered, and to which and by what carriage they are to be carried and conveyed, and by whom, and the name of the person or persons to whom the goods are consigned; to which such proprietor, factor, or agent, shall subscribe his, her, or their name or names, and make oath to the truth thereof: which respective oaths herein-before directed, the collector and comptroller, or other principal officers of the customs, or the officer of excise granting such certificate, is and are hereby authorised and empowered to administer: and the certificate so granted shall express the number of days it shall continue in force; and the officers granting such certificate, after writing the same off their books in a book to be kept by him or them for that purpose, are hereby directed to deliver such certificate to the person or persons who shall apply to them for the same, without any fee or reward whatsoever for such certificate, or for administering the oaths hereby required, on pain of forfeiting the sum of ten pounds for every such offence, and

From March 25, 1783, no tobacco, or tobacco stalks, exceeding 24lb. nor snuff exceeding 10lb. which has been removed from the place of importation, shall be afterwards removed without a proper certificate.

Collector of the customs, &c. may administer oaths.

The certificate
to accompany
the goods.

to transmit a duplicate of ſuch certificate to the regiſter-general of tobacco at *London* or *Edinburgh* reſpectively: and the ſaid certificate ſo granted ſhall accompany the goods to the place where, and be delivered to the perſon to whom ſuch goods ſhall be conſigned, who, upon receiving the ſame, ſhall cauſe ſuch certificate to be delivered to the chief officer of the cuſtoms, if any ſuch there be, and in caſe there be no officer of the cuſtoms, then to the officer of exciſe of the diviſion whereunto ſuch goods are carried and conveyed; and ſuch officer is hereby directed to examine the ſame with the goods, and if they agree therewith, the goods may be taken away and diſpoſed of by the perſon or perſons to whom of right they belong; and ſuch officer is thereupon to enter ſuch certificate diſtinctly in a book to be kept by him for that purpoſe, and transmit the original certificate to the regiſter-general of tobacco at *London* or *Edinburgh* reſpectively.

All tobacco,
tobacco ſtalks,
and ſnuff,
removed con-
trary to this,
or the recited
act, ſhall be
forfeited, with
the cattle,
carriages, &c.
conveying the
ſame.

II. And it is hereby further enacted by the authority aforeſaid, That if any tobacco or tobacco ſtalks exceeding twenty-four pounds weight, or any ſnuff exceeding ten pounds weight, from and after the ſaid twenty-fifth day of *March*, ſhall be removed or found removing, by land or by water, at the ſame time, either in one or ſeveral parcels or packages, from any port or place whatſoever in this kingdom, whether it ſhall be the port or place of importation or not, to any other port, town, or place, in *Great Britain*, without the certificate required by this or the before recited act; or if the perſon or perſons removing ſuch tobacco, tobacco ſtalks, or ſnuff, ſhall not produce ſuch certificate to any officer or officers of the cuſtoms or exciſe who ſhall require to ſee the ſame, all ſuch tobacco, tobacco ſtalks, or ſnuff, and the caſks, cheſts, caſes, or other package, containing the ſame, together with the horſes, cattle, carts, waggons, boats, barges, and all other carriages whatſoever, employed or in anywiſe made uſe of in the removing any carriage or conveyance of ſuch tobacco, tobacco ſtalks, or ſnuff, or any or either of them, ſhall be forfeited and loſt; and the ſeveral rules, regulations, and reſtrictions directed in, and the ſeveral penalties, forfeitures, and puniſhments inflicted by, the ſaid recited act, with reſpect to or againſt the removal of tobacco, tobacco ſtalks, or ſnuff, by land, from the port of importation, and the mode of proceeding therein directed for the recovery thereof, and puniſhing the offenders againſt that act, ſhall be applied, practiſed, and put in execution with reſpect to tobacco, tobacco ſtalks, or ſnuff, removed or found removing contrary to this act, as fully and effectually, to all intents and purpoſes, as if the ſeveral clauſes in the ſaid act relative thereto had been again repeated and enacted in the body of this act.

Régulations,
&c. of the
recited act to
be applied in
execution of
this act.

III. And whereas great quantities of currants are imported into *Great Britain* in rolls and other ſmall packages, and are carried on ſhore without payment of the duties due for the ſame, to the diminution of the publick revenue, and the prejudice of the fair trader: for remedy whereof, it is hereby further enacted by the authority

city aforesaid, That, from and after the fifth day of July, one thousand seven hundred and eighty-three, no currants shall be imported or brought into Great Britain from any place beyond the seas, upon any pretence whatsoever, otherwise than loose in hogsheds or other casks, each of which shall contain five hundred weight avoirdupois of net currants at the least, and shall not be packed in rolls, bags, or in any other packages, within such hogshed or cask, under the penalty of the forfeiture of all such currants as shall be imported, or brought or found on board any ship or vessel within any port, harbour, or creek, within this kingdom, contrary to this act, together with the package containing the same; and such currants shall and may be seized by any officer or officers of his Majesty's customs, and prosecuted in any court of record at Westminster, or in the court of exchequer at Edinburgh respectively; one moiety of which forfeiture, after deducting the charges of condemnation and sale of such currants, shall be to the use of his Majesty, his heirs and successors, and the other moiety to such officer or officers of the customs as shall seize such currants and prosecute for the same.

From July 5. 1783, no currants shall be imported in any less package than five hundred weight;

on penalty of forfeiture thereof.

IV. Provided nevertheless, and it is hereby further enacted by the authority aforesaid, That it shall and may be lawful for the master of any ship or vessel, coming from any port or place from whence currants have been and are usually brought into this kingdom, to import and have on board any quantity of currants not exceeding five hundred weight, for the use of and to be consumed on board such ship or vessel, provided such currants shall be reported at the custom-house, and stowed openly in the ship without fraud or concealment, and shall be packed loose in an hogshed or other cask capable of containing five hundred weight net of currants, but not otherwise; any thing herein-before contained to the contrary notwithstanding.

Exception relative to currants to be consumed on board.

V. And whereas by an act of parliament, made in the eighteenth year of the reign of his present Majesty, intituled, An act for granting to his Majesty several additional duties upon wines and vinegar imported into this kingdom, it was, amongst other things, enacted, That no wines of the growth or produce of any part of the dominions belonging to the crown of Spain or Portugal, and that no French wines should be imported or brought into Great Britain in any smaller vessel or cask than what is commonly called an hogshed, in which such wines have been usually imported, upon forfeiture of all such wines as should be imported contrary to the said act, together with the casks and other package containing the same, (except as therein after was provided:) and whereas by the said act it was provided, that any French wines may be imported in bottles, or that any wines may be imported in smaller casks than is therein-before limited, without fraud or concealment, for private use, and not by way of merchandise, any thing in the said act, or any other law, custom, or usage, to the contrary notwithstanding: and whereas the said proviso has induced the masters of vessels and other persons to import great quantities of Portugal and Spanish wines in small casks, and, under the

Recital of 18 Geo. 3. c. 27.

the

the pretence that such wines are imported for private use, great quantities are clandestinely run on shore without payment of any duty, to the prejudice of the revenue, and detriment of the fair traders: for remedy whereof, be it further enacted by the authority aforesaid, That, from and after the twenty-fifth day of March, one thousand seven hundred and eighty-three, the said proviso in the said act, made in the eighteenth year of his Majesty's reign, herein-before recited, by which it is provided, that any French wines may be imported in bottles, or that any wines may be imported in smaller casks than is by the said act before limited, for private use, and not by way of merchandize, so far as the same relates to Portugal or Spanish wines, or any other wines, except French wines, shall be, and the same is hereby repealed and made void.

From March 25, 1783, a proviso in the said act repealed.

Exception.

Recital of 21 Geo. 3. c. 55.

VI. And whereas by an act, passed in the twenty-first year of the reign of his present Majesty, intituled, An act for repealing the duties payable upon chocolate made in Great Britain, and for granting certain inland duties upon cocoa nuts in lieu thereof; for the better and more effectual securing the revenue of excise, and of the inland duties under the management of the commissioners of excise, and for preventing frauds therein; for the more punctual and ready payment of the allowances to be made to brewers out of the additional duties imposed on malt; and for rectifying a mistake in an act made in this present session of parliament, with respect to the exempting of candles from the additional duty of five pounds per centum upon the duties of excise imposed by the said act; an inland duty of eighteen pence was imposed upon every pound weight avoirdupoise, and in that proportion for a greater or lesser quantity, of cocoa nuts then imported or thereafter to be imported into this kingdom; and by the said act only four fifths of the said duty are to be repaid on the exportation of the said cocoa nuts, which in experience hath been found to be a discouragement to the exportation of the same: for remedy thereof, be it enacted by the authority aforesaid, That, from and after the twenty-fifth day of March, one thousand seven hundred and eighty-three, all such cocoa nuts as shall then have been, or shall hereafter be, legally imported into this kingdom, and which shall be afterwards exported to any foreign parts as merchandize, and which shall have been duly entered, and for which the several imposts due on the importation thereof shall have been paid or secured to be paid, and which shall have been lodged or secured in such warehouse or warehouses as by the above recited act, or by any other therein referred unto, is directed and required, shall and may, from and after the said twenty-fifth day of March, one thousand seven hundred and eighty-three, upon due entry thereof being made by the proprietor or proprietors of such cocoa nuts, or by such person or persons whom they shall appoint for that purpose, be delivered out of any such warehouse for the respective proprietor or proprietors thereof, or such person or persons as shall be appointed by him, her, or them, and who shall before such delivery have duly entered the same

From March 25, 1783, all cocoa nuts exported to be allowed the full duties payable on importation thereof.

ſame for exportation, without payment being made of the ſaid inland duty impoſed by the ſaid act on the ſaid cocoa nuts; any thing in the ſaid act to the contrary thereof in anywiſe notwithstanding; ſuch proprietor or proprietors, or other perſon or perſons exporting the ſaid cocoa nuts, having firſt given ſuch and the like bonds, for the due and fair exportation thereof, and to produce ſuch certificates, and to make ſuch proofs, as are required to be given, entered into, produced and made, by the before recited act of the twenty-ſiſt year of his Maſteſty's reign, on the exportation of cocoa nuts, in purſuance of the directions of that act.

The exporter to give ſuch bonds, &c. as are required by the laſt recited act.

C A P. XII.

An act for raiſing a certain ſum of money by loans or exchequer bills, for the ſervice of the year one thouſand ſeven hundred and eighty-three.— To raiſe 1,000,000 l. on the ſame terms as in the land tax act.

C A P. XIII.

An act for more effectually draining and preſerving certain lands and grounds within the level of Hatfield Chace, and parts adjacent, in the counties of York, Lincoln, and Nottingham.

Commiſſioners of ſewers authoriſed to make a new drain from the north river (at about one hundred and twenty chains diſtance above Althorpe ſluice) to the river Trent; and alſo a ſluice or clough in the bank of the river Trent, and bridges to be made over the new drain, if neceſſary. The expences to be paid by the commiſſioners of ſewers, out of money to be raiſed by the act, on aſſeſſments upon the lands of the participants of the ſaid level.

C A P. XIV.

An act for allowing the importation of goods from Europe in neutral ſhips into the iſlands of Saint Chriſtopher, Nevis, Montſerrat, Dominica, Saint Vincent, Grenada, and the Grenadines; and of goods the produce or manufacture of the ſaid iſlands, and of Tobago and Saint Lucia, from thence into this kingdom, in ſuch ſhips, upon payment of the Britiſh plantation duties, for a limited time; for permitting certain goods, the produce of thoſe iſlands, ſecured in warehouſes in this kingdom, to be taken out, on payment of the Britiſh plantation duties, and to cancel certain bonds entered into for payment of the duties due thereon; for further continuing certain temporary acts for the encouragement of trade; and to repeal an act, made in the twenty-ſecond year of his Maſteſty's reign, for allowing the importation of goods the growth of Saint Chriſtopher, Nevis, and Montſerrat, into any of his Maſteſty's dominions in Europe or America.

WHEREAS, during the late hoſtilities, the iſlands of Saint Preamble. Chriſtopher, Nevis, Montſerrat, Dominica, Saint Vincent, Grenada, and the Grenadines, were taken by the arms of his moſt Chriſtian Maſteſty, and, by the preliminary articles of peace, are to be reſtored to this kingdom; and it may happen that neutral ſhips, laden at foreign ports in Europe with cargoes conſigned to the ſaid

Neutral vessels
cleared out
from foreign
ports to St.
Christopher's,
&c. before
April 1, 1783,
may land their
cargoes, &c.

said islands, may not arrive there before such islands are so restored as aforesaid, and it is expedient to permit such ships to land their cargoes at those islands, and to bring from thence to Great Britain any goods of the growth, production, or manufacture of such islands; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for any neutral ship or vessel that shall have cleared out from any foreign port in *Europe* before the first day of *April*, one thousand seven hundred and eighty-three, with any goods consigned to the said islands, or either of them, to enter and land such goods at any of the said islands, although such ships may not arrive there till after the said islands are restored and delivered up to his Majesty; and it shall and may be lawful for such ships, at any time before the first day of *August*, one thousand seven hundred and eighty-three, to take on board, and bring back to any port in *Great Britain*, any goods, being the growth, production, or manufacture of such islands, and such goods shall and may be admitted to an entry in this kingdom, upon payment of the like duties, as if such goods had been imported from any *British* island in the *West Indies* in *British* ships duly navigated; any law, custom, or usage to the contrary notwithstanding.

Goods, the
produce of
Tobago or
St. Lucia, may
be imported
during a limited
time, on
payment of
British plantation
duties.

II. And whereas the islands of *Tobago* and *Saint Lucia* are, by the said preliminary articles, to be delivered up to his most Christian Majesty, it is therefore hereby further enacted by the authority aforesaid, That during such time as shall be allowed by the definitive treaty of peace to the planters, merchants, and inhabitants, to withdraw themselves and their effects from the said islands, it shall and may be lawful for such persons to import directly from thence into this kingdom, any goods, wares, and merchandizes, being the growth, production, or manufacture, of the said respective islands, upon payment of such duties as would have been due and payable for such goods if they had been imported from any of the *British West India* islands, in *British* ships.

The importer
to make oath
that such
goods are the
produce or
manufacture
of the said
islands.

III. Provided always, and it is hereby further enacted by the authority aforesaid, That the importer or importers of such goods from any of the said islands herein-before mentioned, shall make oath, before the collector and comptroller of his Majesty's customs at the port of importation in this kingdom, (which oath such collector and comptroller are hereby empowered to administer), that, to the best of his or their knowledge and belief, the goods so imported are really and *bona fide* the growth, production, or manufacture, of the said respective islands; and on default of such oath, the goods so imported shall be subject to the payment of the like duties as they would be liable to if imported from any foreign *West India* island; and such goods shall, upon importation into this kingdom, be subject and liable to the like securities, restrictions, regulations, penalties, and forfeitures,

fortifications, in all other respects not altered by this act, as they would be liable to if they were shipped at and imported from any *British* island in the *West Indies*.

IV. And whereas several parcels of sugar, and other goods, the produce of some of the before mentioned islands, have been imported into Great Britain from thence during the time such islands were in the possession of his most Christian Majesty, and are now secured in several warehouses in this kingdom, under the joint locks of his Majesty and the proprietors of such goods, be it further enacted by the authority aforesaid, That it shall and may be lawful for the commissioners of his Majesty's customs, or any four or more of them, to permit such goods to be taken out of such warehouses by the importers thereof, upon payment of the same duties, and subject to the like regulations, as such goods would be subject and liable to if they had been imported directly from any *British* island or plantation in *British* ships navigated according to law; and upon payment of the said duty, the said commissioners of the customs are hereby authorized and required to order any bonds, or other security given by the importers for the duty on such goods, to be cancelled and discharged.

Certain goods imported from the aforesaid islands while they were possessed by the French, may be taken out of the warehouses, on payment of *British* plantation duties.

V. And whereas several restrictions upon commerce have been suspended, and indulgences have been granted for the benefit of trade by various acts of parliament lately made, which were to continue in force during the hostilities with France, Spain, or the states general of the United Provinces, or either of them: and whereas it may be impracticable for the merchants to give notice to their correspondents in foreign parts of the cessation of hostilities time enough to prevent the shipping of goods for this kingdom before peace may be concluded and finally established; be it therefore further enacted by the authority aforesaid, That all acts of parliament which have been made since the twenty-sixth day of *October*, one thousand seven hundred and sixty-five, whereby any such restrictions have been suspended, or such indulgences have been granted, shall be, and the same are hereby further continued, and shall remain in full force until the expiration of six calendar months after the definitive treaty of peace shall be signed.

Several acts for the encouragement of trade further continued.

VI. And it is hereby further enacted by the authority aforesaid, That, from and after the first day of *August*, one thousand seven hundred and eighty-three, an act of parliament made in the twenty-second year of his Majesty's reign, (intituled, *An act for allowing the importation of goods of the growth, produce, or manufacture, of the islands of Saint Christopher, Nevis, and Montserrat, into any ports of his Majesty's dominions in Europe or America, on payment of the British plantation duties*) shall be, and the same is hereby repealed and made void.

22 Geo. 3: c. 30. repealed.

C A P. XV.

An act for rendering more effectual the provisions contained in an act of the thirteenth year of King George the First, for preventing frauds and abuses in the dying trade.

Preamble.

13 Geo. 1.
c. 24 recited.

The recited
act repealed.

Penalty on im-
properly dy-
ing woollen
goods for ma-
ther blacks;

WHEREAS an act of parliament was made, in the thirteenth year of the reign of his majesty King George the First, for preventing frauds and abuses in the dying trade, which said act hath been found ineffectual for the purposes thereby intended; and in order more effectually to prevent frauds and abuses in the dying of cloths, bays, stuffs, and other woollen goods, it is necessary that the said act should be repealed, and some further and other powers given for those purposes: may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, the abovementioned act shall be, and the same is hereby repealed and made void.

II. And be it further enacted, That if any person or persons whomsoever shall, after the passing of this act, within that part of Great Britain called *England, Wales, and Berwick upon Tweed*, dye, or cause to be dyed, any cloths, bays, or other woollen goods of any kind or sort whatsoever, as or for mather blacks, the same not being dyed throughout in the first place with woad and indigo, every such person shall forfeit and pay the respective penalties following; (that is to say,)

For every piece of long *Becking* bays, containing seventy yards, or upwards, the sum of five pounds:

For every piece of *Colchester* bays, or short bays, containing thirty-five yards, or upwards, the sum of fifty shillings:

And for every piece of other woollen goods of any kind or sort whatsoever, the sum of sixpence *per* yard.

and also for
wooded
blacks.

And if any person or persons whomsoever shall, after the passing of this act, within that part of *Great Britain* aforesaid, dye, or cause to be dyed, any woollen cloth as or for wooded black, the same not being wooded throughout, every such person shall, for every such offence, forfeit and pay for every piece of such cloth the sum of two shillings *per* yard.

Mather blacks
and wooded
blacks to be
distinguished
by peculiar
marks.

Penalty on
counterfeiting
said mark.

III. And be it further enacted by the authority aforesaid, That all cloths, bays, and other woollen goods, which shall be truly mathered black according to the directions of this act, shall be marked with a red rose and a blue rose; and all woollen cloth which shall be truly wooded black throughout, according to the directions of this act, shall be marked with a blue rose only: and if any person or persons whomsoever shall counterfeit or forge, or cause to be counterfeited or forged, any of the said marks, or shall dye, stain, imprint, or affix, any such mark to
or

or upon any ſuch woollen cloths falſely and deceitfully dyed as or for mathered or woaded blacks, as aforeſaid, every perſon ſo offending ſhall, for every ſuch offence, forfeit and pay the ſum of four pounds for every piece of ſuch woollen goods to or upon which ſuch mark ſhall be ſo ſtained, imprinted, or affixed, as aforeſaid.

IV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whoſoever ſhall, after the paſſing of this act, within that part of *Great Britain* aforeſaid, uſe, or cauſe to be uſed, any logwood, or logwood liquor, in dying blue any cloths, bays, or other woollen goods of any kind or ſort whatſoever, every ſuch perſon ſhall, for every ſuch offence, forfeit and pay the ſum of twenty pounds for every piece of ſuch cloth, bays, or other woollen goods, in the dying of which any logwood, or logwood liquor, ſhall have been made uſe of as aforeſaid.

Penalty on uſing logwood or logwood liquor in dying woollen goods blue.

V. And, for the better preventing frauds and abuſes in the dying of cloths, bays, and other woollen goods, be it enacted, That the maſter, wardens, and court of aſſiſtants of the company or dyers of *London*, under the common ſeal of the ſaid company, together with *John Barchard, John Cole, Samuel Farmer, Chamberlain Goodwin, Chamberlain Goodwin junior, Jacob Mills, John Platt, Edward Seward, Joſeph Seward, Richard Still, Thomas Vincent,* and *Thomas Whitehead*, or any three or more of them, ſhall, and are hereby impowered and required to appoint ſuch number of perſons as they ſhall think proper, to be ſearchers of all ſhops, warehouſes, workhouſes, and tenter-grounds or drying-places, of all and every perſon and perſons, companies, and corporations, uſing or exerciſing the trade, art, or myſtery, of dying of cloths, bays, or other woollen goods of every kind or ſort whatſoever; and alſo of all and every perſon and perſons concerned in the dying, drying, or packing of any ſuch cloths, bays, or other woollen goods, and alſo all publick warehouſes, and other publick places where any cloths, bays, or other woollen goods, packed up for exportation, ſhall be depoſited, ſituate within the city of *London*, and within the diſtance of ten miles of the ſaid city; and from time to time to appoint others in the room of ſuch as die, reſign, or be removed; and every ſearcher ſo to be appointed as aforeſaid is hereby authorized and impowered, at all ſeaſonable times in the day-time, to enter into any ſuch ſhop, warehouſe, workhouſe, tenter-ground, or drying-place, and other places as aforeſaid, and to ſearch for and examine all or any cloths, bays, and other woollen goods dyed black or blue, whether the ſame be packed or unpacked, and alſo to cut and take away a pattern or ſample from either end of every piece of ſuch woollen goods as he ſhall think proper, for the purpoſe of trying and proving the ſame, ſuch ſearcher taking to his aſſiſtance a conſtable, or other peace officer, of the pariſh or place wherein ſuch ſhop, warehouſe, workhouſe, tenter-ground, or drying-place, or other place as aforeſaid, ſhall be ſituate; and every ſuch conſtable, or other peace

Searchers to be appointed to examine all woollen goods dyed black or blue, in London, and within ten miles thereof.

officer, is hereby required to be aiding and assisting ~~the~~ such searcher in the execution of this act, whenever application shall be made to him for that purpose.

On the death of any of the persons by this act impowered to appoint searchers, others shall be chosen in their room.

VI. And be it further enacted, That when and as often as any of the persons herein-before named, or to be appointed in manner herein-after mentioned, to act in the appointment of searchers as aforesaid, shall die, or refuse to act, the surviving or remaining persons so named or appointed, or any three or more of them, shall, and are hereby required, by writing under their hands from time to time, as soon as conveniently may be after such death or refusal to act as aforesaid, to appoint another person (using or exercising the trade of a dyer of woollen goods, and residing within the limits aforesaid) in the room of the person dying or refusing to act; and every person so to be appointed shall have the like power and authority to act in the appointment of searchers as aforesaid, as the person in whose place he shall succeed was invested with.

First meeting of the persons who are to appoint searchers.

VII. And be it further enacted, That the said company of dyers, and the persons herein-before authorized to act in the appointment of searchers, or any three or more of such persons, shall hold their first meeting for the appointment of searchers as aforesaid, at *Dyers Hall*, in the city of *London*, upon the seventh day next after the passing of this act, between the hours of eleven and two of the clock, and may then, and from time to time afterwards, adjourn themselves, and meet at the same, or any other place or places within the said city, as often as shall be necessary, for the appointment of searchers within the limits aforesaid, according to the directions of this act; but if at any meeting appointed to be holden as aforesaid, it shall happen that a sufficient number of the persons authorized to act in the appointment of searchers as aforesaid shall not attend, or shall omit to adjourn such meeting, then, and in every such case, any one or more of such persons may adjourn such meeting to such time and place within the said city as he or they shall think proper; and every such adjournment shall be as valid and effectual as if made or done by all the persons aforesaid.

In case the dyers company shall not attend at any meeting, the other persons attending may appoint searchers.

VIII. Provided always, and be it further enacted, That in case, at any meeting to be holden for the appointment of searchers as aforesaid, the said company of dyers shall not attend, it shall be lawful for the persons herein-before named, or to be appointed to act in the appointment of searchers as aforesaid, or any three or more of them, and they are hereby authorized and impowered to appoint such person or persons as they shall think proper, to be a searcher or searchers of woollen goods within the limits aforesaid; and every searcher so to be appointed shall have the like power and authority in all respects to act as a searcher in pursuance of this act, as if he had been appointed by the said company of dyers, and the persons herein-before named, or to be appointed as aforesaid.

If the persons herein before authorized

IX. Provided always, and be it further enacted, That if the said company of dyers, and the several persons herein-before authorized

~~authorized~~ to act in the appointment of ſearchers, or any three or more of ſuch perſons, ſhall reſuſe or neglect to appoint and continue a proper number of perſons to be ſearchers as aforeſaid, any two perſons uſing or exerciſing the trade of a dyer of woollen goods may apply to the juſtices, at any general quarter ſeſſions of the peace to be holden within the limits aforeſaid, and make complaint of ſuch reſuſal or neglect; and it ſhall be lawful for the juſtices at ſuch ſeſſions to make enquiry touching the matter of ſuch complaint; and if it ſhall appear to them that a proper number of ſearchers for the purpoſe aforeſaid ſhall not be appointed, the ſaid juſtices ſhall, and are hereby authorized and impowered to appoint ſuch perſon or perſons as they ſhall judge neceſſary to be a ſearcher or ſearchers of woollen goods within the limits aforeſaid; and every ſearcher ſo to be appointed ſhall have the like power and authority in all reſpects to act as a ſearcher in purſuance of this act as if he had been appointed by the ſaid company of dyers, and the perſons herein-before authorized to act in the appointment of ſearchers, or by any three or more of ſuch perſons, in manner before directed.

ſhall neglect to appoint a proper number of ſearchers, the quarter ſeſſions may appoint them.

X. And, in order to prevent the like frauds and abuſes in the dying of woollen goods within ſuch places as are not within the limits aforeſaid, be it further enacted, That the juſtices of the peace, at their reſpective general or quarter ſeſſions of the peace to be holden for the reſpective counties, cities, towns, and places, within that part of Great Britain called England, Wales, and Berwick upon Tweed, (other than within the limits herein-before mentioned,) ſhall, and are hereby required from time to time to appoint ſuch perſon or perſons as they ſhall reſpectively think proper to be a ſearcher or ſearchers within their reſpective juriſdictions; and every perſon ſo to be appointed ſhall be, and is hereby inveſted with the like power and authority to act as a ſearcher in purſuance of this act, within the limits for which he ſhall be ſo appointed, as are herein-before given to any perſon who ſhall be appointed a ſearcher within the city of London, and within the diſtance of ten miles of the ſaid city.

In all parts of England out of the limits aforeſaid, the ſearchers ſhall be appointed by the juſtices at their general or quarter ſeſſions.

XI. Provided always, and be it further enacted, That no perſon ſhall be capable of acting as a ſearcher in the execution of this act, until he ſhall have taken and ſubſcribed an oath to the effect following:

Searchers to be ſworn.

I Do ſwear, That I will faithfully, impartially, and honeſtly, execute and perform the truſt reſoſed in me as a ſearcher, by virtue of an act of parliament, made in the twenty-third year of the reign of his majeſty King George the Third, for rendering more effectual the proviſions contained in an act of the thirteenth year of King George the Firſt, “for preventing frauds and abuſes in the dying trade.” The oath.

Which oath the perſons by whom he ſhall be appointed, or any one of them, are or is hereby impowered to adminiſter.

Penalty on
obstructing
searchers.

XII. And be it further enacted, That if any person or persons shall, in any manner, oppose, obstruct, hinder, or prevent, any searcher so to be appointed as aforesaid, in the execution of any of the powers hereby vested in him, every such person shall, for every such offence, forfeit and pay the sum of ten pounds.

Penalties and
forfeitures
how to be re-
covered and
applied.

XIII. And be it further enacted by the authority aforesaid, That all penalties and forfeitures for offences against this act, where the same shall exceed the sum of five pounds, shall or may be recovered, in the name of any person who shall inform or sue for the same, by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, wherein no essoin, privilege, protection, wager of law, nor more than one imparlance, shall be granted or allowed; and that all penalties and forfeitures for offences against this act, where the same shall not exceed the sum of five pounds, shall, upon proof of the offences respectively before any justice of the peace for the county, city, town, or place, where the offence shall be committed, either by the confession of the party, or by the oath of one or more credible witness or witnesses, (which oath such justice is hereby empowered to administer) be levied and recovered by distress and sale of the goods and chattels of the party offending, by warrant under the hand and seal of such justice, directed to any constable, or other peace officer, at any ward, precinct, parish, town, or place, where the offender shall inhabit, or can be found, (being within the jurisdiction of such justice;) and the overplus, after such penalties and forfeitures, and the charges of such distress and sale, are deducted, shall be returned, upon demand, to the owner of such goods and chattels; and in case sufficient distress cannot be found, and such penalties and forfeitures shall not be forthwith paid, such justice shall, and is hereby authorized and required to cause the offender or offenders to be committed to the house of correction, there to be kept to hard labour for such time as such justice shall think fit, not exceeding three months; and one moiety of all penalties and forfeitures which shall be recovered, by virtue of this act, from any person or persons residing within the city of *London*, or within the distance of ten miles of the said city, shall go and be paid to the informer or informers, and the other moiety shall be applied and disposed of in such manner as shall from time to time be directed by the persons attending any meetings to be holden for the appointment of searchers within the city of *London*, and within ten miles of the said city, as aforesaid; and the whole of all other penalties and forfeitures which shall be recovered by virtue of this act, shall go and be paid to the informer or informers, and prosecutor or prosecutors.

Prosecutions
to be com-
menced with-
in 40 days.

XIV. Provided always, That all prosecutions for offences against this act shall be commenced within forty days next after the offences shall be respectively committed or discovered, and not afterwards, and shall be prosecuted with effect and without delay;

And if any person shall think him or herself aggrieved by the judgement or order of any justice of the peace, touching the conviction for any offence against this act, such person may appeal to the justices of the peace at the next general quarter sessions to be holden for the county, city, town, or place, where the offence shall be committed, he or she first giving reasonable and sufficient notice of such appeal to the prosecutor or prosecutors; and the judgement and determination of the justices at such general quarter sessions shall be final and conclusive upon all parties; and the said justices are hereby impowered, upon such appeal, to allow such reasonable costs and charges to either party as they shall think just; the same to be levied and paid in such manner as is usual in other cases of appeal from orders of any justices of the peace to the general quarter sessions.

Persons aggrieved by the order of any justice, may appeal to the quarter sessions.

XV. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced or prosecuted against any person or persons, for any matter or thing done in pursuance of this act, every such action or suit shall be commenced within three calendar months next after the cause of action shall have arisen, and not afterwards, and shall be laid and tried in the county, city, or place, where the same shall arise, and not elsewhere; and the defendant or defendants in such action or suit may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the matter or thing for which such action or suit shall be commenced was done in pursuance and by the authority of this act: and if the same shall appear to have been so done, or if any such action or suit shall be brought or commenced after the time before limited for bringing the same, or shall be laid in any other county or place than as aforesaid, then, and in every such case, the jury shall find for the defendant or defendants; and upon such verdict, or if the plaintiff or plaintiffs shall be nonsuited, or suffer a discontinuance of his, her, or their action or suit after the defendant or defendants shall have appeared, or if, upon demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for the same as any defendant or defendants hath or have for costs of suit in any other case by law.

Limitation of actions.

General issue.

Treble costs.

XVI. And be it further enacted, That this act shall be deemed a publick act; and shall be judicially taken notice of as such, by all judges, justices, and other persons whomsoever, without specially pleading the same.

Publick act.

C A P. XVI.

An act for authoriſing the treaſurer of the navy to pay to the gariſon and naval department at Gibraltar, the like bounty for deſtroying certain Spaniſh ſhips of war, as is allowed to the officers and men on board any of his Maſteſty's ſhips of war taking or deſtroying ſhips of war belonging to the enemy.

Preamble.

Recital of
19 Geo. 3.
c. 67. and
20 Geo. 3.
c. 23.

WHEREAS by two ſeveral acts of parliament, of the nineteenth and twentieth years of the reign of his preſent Maſteſty, for the encouragement of ſeamen, and the more ſpeedy and effectual manning of his Maſteſty's navy, the commiſſioners of the navy are directed to iſſue bills for the payment to all officers, ſea-men, marines, ſoldiers, or others, who ſhall have been actually on board any of his Maſteſty's ſhips of war, at the time of taking, ſinking, burning, or otherwiſe deſtroying, any ſhips of war belonging to the French King, or to the King of Spain, the ſum of five pounds for every man alive on board the ſhips ſo taken, ſunk, burnt, or otherwiſe deſtroyed, at the beginning of the attack or engagement: and whereas in the month of September, one thouſand ſeven hundred and eighty-two, an attack was made upon his Maſteſty's gariſon at Gibraltar, by ten battering ſhips of war belonging to his moſt Catholick Maſteſty, all which ſhips of war were, by the ſaid gariſon, and the naval department at the port of Gibraltar, burnt, ſunk, or otherwiſe deſtroyed; and in the month of October, in the ſame year, a Spaniſh ſhip of war, called The Saint Miguel, ſurrendered to the ſaid gariſon and naval department: and whereas, by the ſaid letter of the ſaid acts, the officers and men of the ſaid gariſon, and naval department, are not intitled to the ſaid bounty, for burning, ſinking, or otherwiſe deſtroying, the ſaid battering ſhips of war, or for taking the ſaid Spaniſh ſhip of war, as aforeſaid: and whereas it is highly proper that all due encouragement ſhould be given to the diſtinguiſhed merit of the officers and men of the ſaid gariſon and naval department at Gibraltar, for their long and gallant defence of that important fortrefs: may it therefore pleaſe your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That the officers and men belonging to the gariſon of Gibraltar, and to the naval department at the ſaid port of Gibraltar, at the reſpective times of the attack being made upon the ſaid gariſon, and the ſurrender of the ſaid Spaniſh ſhip of war as aforeſaid, ſhall be intitled to, and ſhall receive the ſaid bounty of five pounds for every man living on board the ſaid battering ſhips of war, at the beginning of the ſaid attack; and alſo for every man living on board the ſaid Spaniſh ſhip of war, at the time of her ſurrendering to the ſaid gariſon and naval department, as aforeſaid, in as full and ample manner as the officers and men on board any of his Maſteſty's ſhips of war are by the ſaid acts intitled to.

The gariſon of Gibraltar, and the naval department there, intitled to head money for deſtroying the floating batteries, &c.

the bounty thereby allowed upon the taking or destroying any ~~the~~ ^{war} ~~ship~~ ^{belonging to the enemy}: and the commissioners of his Majesty's navy shall, and they are hereby authorized and required (upon proof made, to the satisfaction of the said commissioners, by certificates, or otherwise, of the number of men living on board the said battering ships of war, and the said *Spanish* ship of war, at the time of the said attack and surrender respectively) to make out bills for the amount of the said bounty, directed to the treasurer of his Majesty's navy, to be divided amongst the officers, soldiers, seamen, and marines, within and belonging to the said garrison and naval department, at the respective times aforesaid, in such manner, and in such proportions, as his Majesty shall graciously please to order, direct, and appoint; and the treasurer of the navy shall, and is hereby authorized and required to pay all such bills, according to the course of the navy, to the said officers, soldiers, seamen, and marines, or to such agent or agents as they shall authorize and appoint to receive the same, without fee or reward; and such agent or agents shall be subject and liable to the like regulations and directions, as any agent or agents appointed by virtue of the said acts are thereby made subject and liable to.

Commissioners of the navy to make out bills for that purpose.

C A P. XVII.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters. — This act to continue as to Great Britain, from March 24, 1783, to April 25, 1783; and as to Jersey, Guernsey, &c. from April 30, 1783, till May 1, 1784; and as to Gibraltar, and his Majesty's other dominions beyond sea from March 24, 1784, till March 24, 1785.

C A P. XVIII.

An act for rendering the payment of creditors more equal and expeditious, in that part of Great Britain called Scotland; and for making perpetual so much of an act, made in the twelfth year of his present Majesty's reign, as relates to bills and promissory notes.

WHEREAS by the common law, in that part of Great Preamble.

Britain, called Scotland, the personal estates of such debtors as became insolvent were generally carried off by the diligence of arrestment and pouding, executed by a few creditors, who, from the nearness of their residence to and connexion with such debtors, got the earliest intelligence of the insolvency, to the great prejudice of creditors more remote and unconnected, and to the disappointment of that equality which ought to take place in the distribution of the estates of insolvent debtors among their creditors: And whereas an act was passed in the twelfth year of the reign of his present Majesty, intituled, An act for rendering the payment of the creditors of insolvent debtors more equal and expeditious, and for regulating the diligence of the law by arrestment and pouding, and for extending the pri-

Recital of 12 Geo. 3. c. 72.

vileges of bills to promiffory notes, and for limiting action: upon bills and promiffory notes, in that part of Great Britain and Scotland; which was continued by another act made in the twentieth year of the reign of his prefent Majefty, but is now about to expire, and hath moreover been found by experience to be in fome refpects insufficient for answering the purpofes thereby intended; and it being expedient that the plan of the faid act fhould be varied, and that fome other rules and regulations fhould be made for putting the diligence of creditors upon an equal and proper footing, and preventing unjuft references and accumulation of expence, and likewise for operating a more fpeedy diftribution of the eftates of bankrupts both real and perfonal, efpecially where fuch eftates belong to perfons engaged in trade and manufactures; may it therefore pleafe your Majefty that it may be enacted; and be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament afsembled, and by the authority of the fame, That in all actions and questions arifing upon the conftruction and effect of the act of the parliament of Scotland, made in the year one thoufand fix hundred and ninety-fix, intituled, *An act for declaring notour bankrupts*, when a debtor is out of Scotland, or not liable to be imprifoned by reafon of privilege or perfonal protection, a charge of horning executed againft him, together with either an arrefment of any of his perfonal effects not loofed or charged within fifteen days, or a poinding executed of any of his moveables, or a decree of adjudication of any part of his heritable eftate, or fequeftration by the act of a proper court of all or any part of his eftate or effects, heritable or moveable, for payment of debt, fhall, when joined with infolvency, be held as fufficient proof of notour bankruptcy; and from and after the laft ftep of fuch diligence, the faid debtor, if infolvent, fhall be held as bankrupt.

What fhall be deemed fufficient proof of bankruptcy.

Directions relative to arrefments of bankrupts effects.

II. And be it enacted by the authority aforefaid, That when a debtor is made bankrupt in terms of the faid act, made in the year one thoufand fix hundred and ninety-fix, as now extended, all arrefments which fhall have been ufed for attaching any perfonal effects of fuch bankrupt within thirty days prior to the bankruptcy, or within four calendar months immediately fubfequent, fhall be *pari paffu* preferable: and in order to fave as far poffible, the expence of a multiplicity of arrefments, it is declared, That where the effects of a debtor are arrefted by any creditor, within thirty days before the bankruptcy, or within four months after it, and a procefs of forthcoming or multiple-pounding is brought in which fuch arrefment is founded on, it fhall be competent for any other creditor, producing his intereft, and making his claim in the faid procefs, at any time before the expiration of the faid four months, to be ranked in the fame manner as if he had ufed the form of arrefment; the expence of raifing the procefs, and of the diligence, at the inftance of the creditor who raifes it, being always paid out of the common fund.

III. And

III. And be it enacted by the authority aforeſaid, That ~~an~~ ~~and~~ ~~at~~ ~~the~~ ~~market~~ ~~croſs~~ ~~of~~ ~~Edinburgh,~~ ~~and~~ ~~pier~~ ~~and~~ ~~ſhore~~ ~~of~~ ~~Leith,~~ ~~in~~ ~~the~~ ~~hands~~ ~~of~~ ~~any~~ ~~perſon~~ ~~out~~ ~~of~~ ~~the~~ ~~king-~~ ~~dom,~~ ~~without~~ ~~other~~ ~~ſufficient~~ ~~notification,~~ ~~ſhall~~ ~~not~~ ~~interpel~~ ~~the~~ ~~arrete~~ ~~from~~ ~~paying~~ ~~bona~~ ~~fide~~ ~~to~~ ~~the~~ ~~original~~ ~~creditor.~~

IV. And be it enacted by the authority aforeſaid, That no pointing of the moveables belonging to ſuch bankrupt, within thirty days before his bankruptcy, as aforeſaid, or within four calendar months thereafter, ſhall give a preference to ſuch pointer over the other lawful creditors of the bankrupt, but the goods ſo pointed ſhall be conſidered as *in medio*, and the perſon receiving the price of them ſhall be liable to make the ſame forthcoming, ſo as that all the other creditors of the bankrupt who are poſſeſſed of liquidate grounds of debt, or decrees for payment, ſhall be intitled to their portion of the ſame; provided they make their claim by ſummoning the pointer at any time before the expiration of the ſaid four months, deducting always the expence of ſuch pointing from the firſt end of the price of ſuch goods, together with twenty *per cent.* on the appraiſed value, which the pointer ſhall retain to account of his debt, in preference to the other creditors, reſerving liberty to him, to rank on the remaining ſum for the full amount of the debt contained in his diligence.

Pointing of moveables within a certain time before and after bankruptcy, not to give a preference to pointer, &c.

V. And be it further enacted by the authority aforeſaid, That all actions of ſale of lands, or other heritable ſubjects, raiſed or to be raiſed and purſued at the inſtance of creditors before the court of ſeſſion, upon any of the ſtatutes in that behalf made, ſhall proceed and be carried on to a concluſion, by actual ſale, as ſoon as the neceſſary previous ſteps of a ſale are taken, whether the ranking of the creditors is concluded or not, unleſs the court upon application of the creditors, or any of them, ſhall find ſufficient cauſe to delay the ſale; any law or practice to the contrary notwithstanding; and it ſhall be lawful to the purchaſer, at any term of *Whitſunday* or *Martinmas* ſubſequent to the term of payment of the price, to lodge the price, with the intereſt due upon it, in the royal bank, or bank of *Scotland*, at ſuch intereſt as can be procured for it; declaring always, that by ſo doing, and giving notice thereof to the common agent who carried on the ſale, he ſhall be exonerate, the ſame way as if the price had been conſigned in the hands of the magiſtrates and town council of *Edinburgh*, as required by the ſixth act of the parliament of *Scotland*, in the year one thouſand ſix hundred and ninety-five, which act is ſo far hereby repealed; and further declaring, That the court of ſeſſion, on the application of any of the creditors, ſhall be impowered to make an order on the purchaſer to lodge the price and intereſt at any of the ſaid terms ſubſequent to the term of payment in one or other of the ſaid banks; ſufficient intimation being always previously given both to the purchaſer and to the common agent for the ſale, that ſuch application is made, in order that all parties have an opportunity to object; and in order to leſſen the

Directions relative to actions of ſale of lands, &c. raiſed at the inſtance of creditors before the court of ſeſſion.

the number of adjudications, and consequently the expence upon a bankrupt estate, the lord ordinary off ~~the court~~ of session, before whom any process of adjudication is called, shall ordain intimation thereof to be made in the minute book, and on the wall, in order that any other creditors of the common debtor who may think proper to adjudge his estate, and are in readiness for it, may produce the instructions of their debts, and be conjoined in the decree of adjudication; and a reasonable time, not exceeding twenty sederunt days, shall be given for that purpose, unless there be any hazard from a delay, which the court, or the lord ordinary, shall judge of.

Who may be
made bank-
rupts.

VI. *And whereas it is for the interest of commerce, that the estates of those concerned in trade and manufactures, when they are unable to answer the demands upon them, should be disposed of and distributed among their creditors in the most expeditious manner, without abiding the ordinary forms of law, be it enacted by the authority aforesaid, That if any person in that part of Great Britain called Scotland, being a merchant or trader in gross or by retail, or a banker, broker, or underwriter, or a manufacturer, artificer, or mechanick, and in general any person who, either for himself, or as an agent or factor for others, deals in the purchase, or sale, or workmanship, of goods or commodities other than for his own use and consumption, or the produce of his own estate, or of any subject held by him as lessee or tenant, (and particularly excepting landholders, and occupiers or tenants of land, or other heritages, holders of India stock, or of stock in any of the banks established by publick authority, or in the friendly insurance company at Edinburgh against fire, if such persons be not otherwise bona fide under one or other of the foregoing descriptions,) shall be under diligence by horning and caption for debt, and shall either, in virtue thereof, be imprisoned, or retire to a sanctuary, or fly or abscond for his personal safety, or defend his person by force; or being out of Scotland, or not liable to be imprisoned by reason of privilege or personal protection, shall be under diligence by charge of horning, attended with arrestment, not loosed or discharged within fifteen days, or poinding of any part of his moveables, or decree of adjudication of any part of his heritable estate, for payment of debt, at the instance of any creditor, it shall be lawful to any creditor of the said person, whose debt shall amount to the sum of one hundred pounds sterling, or any two creditors whose debts shall amount to the sum of one hundred and fifty pounds sterling, or to any three or more creditors whose debts amount to the sum of two hundred pounds sterling, or upwards, at any time within four calendar months of the last step of the said diligence, to apply, by summary petition, to the court of session while the session is sitting, or to the lord ordinary on the bills in time of vacation, for a sequestration of the said debtor's estate, real and personal; and upon production of the grounds of debt aforesaid, and the creditor or creditors, whose instance the application is made, swearing to the verity of*

Method of
procedure
therein.

of their debts before any judge ordinary, or justice of peace; and that they believe the party against whom the application is made to be a merchant, or otherwise under the description above set forth, and with and under the foregoing exceptions, the said court, or the lord ordinary, shall grant warrant for citing the said debtor, by delivering to him personally, or by leaving at his dwelling-house, a copy of the said petition; or, if the said debtor is out of *Scotland*, by affixing copies upon the market cross of *Edinburgh*, pier and shore of *Leith*, and also leaving a copy at his last dwelling-house, or house of business, in *Scotland*, to appear in court within the time specified in the warrant of citation, not being less than six, nor more than forty days from the date of the citation, to show cause why sequestration should not be awarded; and at the time of granting such warrant of citation, the court, or the lord ordinary, shall likewise, if desired, grant the usual authority, at the instance of the petitioners, for recovering written evidence of the said diligence; and upon production of such evidence at the diet of appearance, if the debtor shall not appear either in person, or by his counsel or agent, or so appearing, shall not instantly produce written evidence of the debt or debts being satisfied upon which the diligences proceeded, and also pay or satisfy the debt or debts due to the petitioner or petitioners, or show other reasonable cause why further proceeding should not be had, the court, or the lord ordinary, shall immediately award sequestration of the said debtor's whole real and personal estate.

The court, &c.
to appoint a
meeting of
creditors, who
are to name a
factor.

VII. And be it enacted by the authority aforesaid, That the Court of the lord ordinary shall, by the same deliverance which awards the sequestration, make an order upon the creditors to meet upon a certain day and hour, being not more than three weeks from that date, and as much sooner as circumstances may permit; the said meeting to be at a convenient place, either where the bankrupt resides, or where his business is or was last carried on, or as near it as possible, in order to name an interim factor upon the sequestrated estate real and personal; which deliverance the petitioning creditor or creditors shall forthwith cause to be advertised in the *Edinburgh* newspapers called *The Caledonian Mercury*, and *Edinburgh Evening Courant*, otherwise the whole proceedings to be null and void; and the said court, or lord ordinary, shall at the same time grant commission to any resident magistrate of the burgh, or to the sheriff or steward depute or substitute of the county or stewartry where the meeting is to be held, or, failing them, any justice of the peace to be named by the court, to attend the said meeting of creditors, and to receive production of their grounds of debt, with the oaths thereon after mentioned, and to sign the minutes of the creditors, along with the preses chosen by them; and all questions at this meeting shall be determined by a majority of the creditors in value or extent of debt appearing at the said meeting, by themselves or others authorized by them, and the grounds of debt and oaths thereon are so produced.

VIII. And

Factor to give security.

VIII. And be it enacted by the authority aforesaid, That the person chosen at the said meeting by the majority aforesaid as interim factor, shall be intitled to the office, and shall find security for his faithful management, to such extent as the said majority shall think reasonable; and the said factor shall ingross a copy of the minutes of this meeting in a book of sederunt, which shall be signed by the said commissioners and by the preses of the meeting, and kept by the factor as his warrant for acting; and the principal minutes of the said meeting, at which the factor is appointed, being signed by the said commissioner, by the preses of the meeting, and by the factor named and accepting of the office, shall be transmitted by the commissioner to the clerk of the sequestration, to be kept among the records of the court of session.

Court, upon awarding the sequestration, may lock up the bankrupt's shop, &c.

IX. And be it enacted by the authority aforesaid, That upon awarding the sequestration, the court, or the lord ordinary, shall, if desired by the petitioning creditors, grant warrant to the said commissioner to seal up, and cause put under safe custody, the books and papers of the bankrupt, and to lock up his shop, warehouse, or other repositories, and to keep the keys thereof, till a factor is named as before directed, to whom they shall be delivered, and subject in the mean time to such orders and directions as the said court, or lord ordinary, or the said commissioner, may think proper to give, on the application of any party concerned; and it shall be competent for the court, or the lord ordinary, even from the date of the application for sequestration, to give such interim orders as the circumstances of the case may require, for preventing embezzlement or damage to the effects, upon application of any of the creditors, and cause shewn.

Any merchant, &c. jointly with a creditor for 100l. may apply to the court for a sequestration of his estate.

X. And be it enacted by the authority aforesaid, That if any merchant, or other person described as above, and with and under the aforesaid exceptions, whether diligence has been executed against him or not, shall make a joint application along with any creditor whose debt shall amount to the sum of one hundred pounds sterling, or any two creditors whose debts shall amount to the sum of one hundred and fifty pounds sterling, or any three or more creditors whose debts shall amount to the sum of two hundred pounds sterling, or upwards, and oath being made as above to the verity of these debts, and the parties, or their agent, also making oath, to their knowledge or belief, of the debtor's being under the description which he assumes, the said court, or the lord ordinary, are hereby authorized and required to award sequestration of the debtor's estate, real and personal, in like manner, and the procedure shall go on as before directed.

No sequestration to be awarded against any person not residing in Scotland, &c.

XI. And be it enacted by the authority, That no sequestration shall be awarded against any person having an estate or effects in Scotland, who at the time of the application does not either reside or has a dwelling-house or house of business here, or at least had such residence or dwelling house or house of business within

within a year previous to the application, unless the debtor himself, or those acting for him, concur in the application.

XII. And be it enacted by the authority aforesaid, That the estates of all companies carrying on business under any of the denominations or descriptions above set forth, and with and under the above exceptions, may be sequeſtrated upon the application either of those intitled to act for them, with consent of any creditor of such company whose debt amounts to the sum of one hundred pounds sterling, or any two creditors whose debts amount to the sum of one hundred and fifty pounds sterling, or any three or more creditors whose debts amount to the sum of two hundred pounds sterling, or upwards; or at the application of such creditor or creditors themselves whose debts are to the amount already mentioned; in which last case it must appear, that diligence has been done against one or more of the partners of the company for payment of a company debt, in the same way and manner as is before required to found an application against individuals; and in either case, the procedure hereby directed with regard to individual debtors shall be followed out; and it shall be sufficient to cite the company, by leaving a copy at the house or shop where their business is carried on, or where any of their managing partners reside; or if the said houses and shop be shut up or deserted by them, a copy shall be affixed at the market cross of *Edinburgh*, and pier and shore of *Leith*.

Method of procedure relative to trading companies.

XIII. And be it enacted by the authority aforesaid, That it shall be necessary for the party applying for the sequeſtration to record the petition of sequeſtration, and the first deliverance thereon, in the general register of inhibitions, within twenty-four hours after the said deliverance is pronounced; and the same shall, from the date of the application, be held equivalent to an inhibition against the debtor, for behoof of the whole creditors, in case of the sequeſtration being finally awarded; and it shall not be in the power of the bankrupt, after sequeſtration is awarded, to stop proceedings by paying off the debt on which the diligence and petition aforesaid did proceed, nor shall the proceedings be of any effect unless the said petition and deliverance are so registered.

Petition of sequeſtration to be recorded in the general register of inhibitions.

XIV. Provided always, That if the debtor, against whom sequeſtration has been awarded without his own concurrence, or if any creditor who has not concurred in, or consented to the application, shall apprehend that the party against whom it is awarded does not come within the description before given, or falls under any of the exceptions therefrom, such debtor or creditor shall be at liberty, at any time within thirty days after sequeſtration is awarded, to apply to the court of session, if sitting, or to the lord ordinary on the bills in time of vacation, setting forth the grounds upon which the sequeſtration ought to be recalled, in respect of the description not being applicable; and this petition being intimated to the party at whose instance the sequeſtration was obtained, or the known agent of that party, and a reasonable time given to make answers thereto, the court or lord ordinary, shall determine summarily upon the same, and

In what cases a sequeſtration may be recalled.

and shall grant commission, if necessary, for ~~examining~~ the facts; and if upon evidence it shall appear that the person against whom the sequestration is awarded, does not fall within the meaning or terms of this act, as not being under any of the descriptions above set forth, or as falling under any of the exceptions therefrom, the sequestration shall be recalled; or, if the petition is found to be without sufficient ground, it shall be dismissed; but in the mean time, until this matter is finally determined, the proceedings under the sequestration shall go on as if no such application had been made.

General meet-
ing of the cre-
ditors to be
held for chus-
ing a trustee.

XV. And be it further enacted by the authority aforesaid, That the said factor shall, immediately after being so named, be obliged to publish an advertisement in the two *Edinburgh* newspapers before mentioned, intimating the sequestration, and that a general meeting of the creditors is to be held on such day and at such place as the creditors, at the meeting before mentioned, shall have fixed in their minutes, (the said day being not less than four, nor more than eight weeks after the advertisement,) for the purpose of chusing a trustee; and in the mean time, the factor shall enter upon the management of the estate, and shall, within two days after his appointment, apply to the sheriff or steward depute or substitute of the county or stewartry where the debtor resides, or where his business was carried on, who is hereby authorized and required to name one day in each of the four succeeding weeks to be set apart for the publick examination of the bankrupt and of his family, or others acquainted with his business, in the sheriff court-house of the district, a fee of one guinea each sitting being allowed to the sheriff or steward depute, if he officiates, or half a guinea each sitting to the substitute; and such periodical meetings being fixed, the same shall be immediately published by the factor in each of the two *Edinburgh* newspapers before mentioned, by an advertisement, inviting the whole creditors to be present at such examination, that they may have an opportunity of putting such questions as shall be judged of importance for rendering the discovery and surrender more complete; and the said judge shall, if necessary, issue his warrant for apprehending the bankrupt, or any of his family, or others who are to be examined, if within his jurisdiction, in order to force their appearance; or if they be without his jurisdiction, the court of session, or lord ordinary on the bills, shall, on the application of the factor, grant such warrant for apprehending and bringing them before the judge, who is to take the examination, as aforesaid; and if any of these persons shall happen to be indisposed, or otherwise unable to attend at that time, the court, or lord ordinary on the bills, may grant commission for examining them elsewhere; and it shall be competent for the factor or for the trustee to apply at any time for re-examining those persons, upon due advertisement given in manner aforesaid; and the court, or lord ordinary on the bills, shall, likewise, in case it be necessary, grant a personal protection to the bankrupt, at the application of the factor or trustee, for such time as may

Bankrupt, &c.
to be examin-
ed.

be requisite for enabling him to attend the diets of examination, or may grant warrant to messengers at arms, or other officers of the law, to bring his person out of prison, in order to attend such meetings, and thereafter to carry back him to prison.

XVI. And be it enacted by the authority aforesaid, That the persons to be examined appearing, or being brought in virtue of the said warrant, before the sheriff or steward depute, or substitute, and in presence of the factor and such creditors as chuse to attend, the bankrupt shall make a full and fair discovery of his whole estate, heritable and moveable, wherever situated, including any estate in expectancy which he may have an eventual right to by contract of marriage, entail, or otherwise, and shall exhibit in writing a full state of his affairs; and the judge shall proceed in the examination of him and the other persons aforesaid; and the said state and whole procedure shall be inserted in the book of sederunt, to be subscribed by the said judge examiner, and by the bankrupt, and likewise by the factor, together with a list of books, papers, accounts title-deeds, and documents, found in his possession, or produced by him, and a rental of his lands; all which books, and other writings, shall be delivered over to the factor; and at the last of these examinations the bankrupt shall take and subscribe the following oath:

Bankrupt to make a full discovery of his estate.

I A. B. do, in the presence of Almighty God, and as I shall answer to God at the great day of judgement, solemnly swear, That the state of my affairs, subscribed by me, and now delivered up to my creditors, contains a full and true account of all the debts of whatever nature due to me, and of all my estate and effects real or personal (necessary wearing apparel only excepted) as well as of all claims which I am entitled to make against any person or persons whatsoever, and of all estate in expectancy, real or personal, which I have an eventual right to by contract of marriage, deed of entail, or otherwise, to the best of my knowledge; and that the said state likewise contains a full and true account of all the debts due by me, or demands upon me, so far as I know or can remember, and that I have delivered up the whole books, documents, accounts, and papers of every kind belonging to me, which in any way relate to my affairs, and which were in my possession, or under my power, and have made a full disclosure of every particular relating to my affairs. And further I swear, That I shall forthwith reveal all and every other circumstance or particular relative to my affairs, or which may tend to increase or diminish my estate, or in which my creditors may be interested directly or indirectly, which may at any time hereafter come to my knowledge.

Bankrupt's oath.

So help me GOD.

And if the person thus called upon is a member of a company, and examined upon the company's affairs, the terms of this oath shall only be so varied by the judge as to make it applicable

Penalty on
ſwearing or
affirming
faſely.

ble to the caſe; which oath being annexed ~~to the foregoing~~ proceedings in the book of federunt, ſhall alſo be ſubſcribed by the ſheriff or ſtewart depute or ſubſtitute; and if the bankrupt be one of the people called *Quakers*, it ſhall be ſufficient to take his ſolemn affirmation upon the matters contained in the ſaid oath, and likewise in all other caſes where an oath is required by this ſtature: and all perſons convicted of taking the above oath or affirmation faſely, ſhall be held as guilty of perjury, and of fraudulent bankruptcy, and puniſhed accordingly, and for ever rendered incapable of holding any office of publick truſt or emolument; declaring alſo, that if the bankrupt ſhall wilfully fail to exhibit a fair ſtate of his affairs, or to make oath in terms above ſpecified, or to make a complete ſurrender, he ſhall be conſidered as a fraudulent bankrupt, and puniſhed accordingly, and rendered ever after incapable of holding any office of publick truſt or emolument; and in either caſe ſhall forfeit every benefit or privilege ariſing from the ſtature, and be accounted infamous, and incapable of giving evidence in a court of juſtice, or of ſitting or acting on any aſſize or jury.

The book of
federunt to
be delivered
to the acting
trustee, along
with other
books, ac-
counts, &c.

XVII. And be it further enacted by the authority aforeſaid, That at the general meeting of the creditors appointed and advertiſed as before, for chuſing a trustee, the factor ſhall exhibit the ſaid book of federunt, to be delivered over to the acting trustee along with all the books, papers, accounts, documents, and title deeds in his hands, relative to the bankrupt's eſtate and affairs; and the majority of creditors in value or extent of debt preſent at this meeting ſhall determine who is to be trustee; but no creditor ſhall be intitled to a vote at this or any other meeting, who has not, either then or formerly, exhibited his grounds of debt, with an oath thereon, as herein-after mentioned, and got the ſame marked or entered in the book of federunt; and at the ſaid or any other meeting it ſhall be lawful for agents or attornies, having commiſſions either general or ſpecial from any of the creditors, to appear and vote in all matters wherein their conſtituents themſelves if preſent might have voted; and the creditors may chuſe two or more trustees to act in ſucceſſion, one ſailing another by death, reſignation, or removal.

Clause relative
to the factor
and trustee.

XVIII. Provided always, That if the factor named at the firſt meeting is not choſen trustee, he ſhall be allowed ſuch gratification for his trouble, to be retained by him out of the effects in his hands, or to be paid by the trustee, as a majority of the creditors in value at the ſaid meeting ſhall think reaſonable; and the trustee ſhall find ſecurity for his intromiſſions and faithful management, unleſs the ſame be diſpenſed with by four fifths in number and value of the ſaid meeting, the ſaid diſpenſing reſolution to be always ingroſſed in their minutes; and the trustee ſhall be intitled to an allowance in name of commiſſion for his management, on all ſums of money which he ſhall recover, at ſuch rate *per cent.* as ſhall be adjusted or fixed by a majority,

majority, in value at the ſaid meeting, or at any after meeting of the creditors advertiſed for that purpoſe; and it ſhall be competent at any time for one fourth of the creditors in value to apply ſummarily to the court of ſeſſion for having him removed, upon cauſe ſhown; and a majority of creditors in value, at any meeting to be advertiſed for the purpoſe, ſhall likewiſe be entitled to remove, or to accept of the reſignation of any trustee; and in either of theſe caſes, or in the event of the acting trustee's death, the next trustee in ſucceſſion ſhall be entitled to act; and upon failure of the ſeveral trustees originally named, by death or otherwiſe, it ſhall be competent to any two of the creditors to apply to the court of ſeſſion, or lord ordinary on the bills, to cauſe a meeting of the creditors be held, upon due advertiſement, for chuſing a new trustee or trustees in ſucceſſion; and in any of theſe caſes the new acting trustee ſhall immediately call to account his predeceſſors in office, or their heirs and repreſentatives, and ſhall be veſted with the ſame powers, and ſubject to the ſame rules and regulations, as any former acting trustee.

XIX. And be it further enacted by the authority aforeſaid, That the minutes of this meeting of the creditors electing a trustee, or ſucceſſion of trustees, ſhall be forthwith reported to the court, or lord ordinary on the bills, by the trustee who is to act, a copy of them being previously entered in the ſederunt book; and the court, or the lord ordinary, ſhall then iſſue an order upon the bankrupt, to execute and deliver, within a certain reaſonable time to be ſpecified in the interlocutor, a diſpoſition or diſpoſitions making over to the ſaid trustee or trustees in their order his whole real and perſonal eſtate, wherever ſituated, and which ſhall ſpecially deſcribe and convey the ſubjects ſo far as they are known, or ſo far as the trustees ſhall think it neceſſary, and contain all proper clauſes for effectually veſting the right in him, with full powers of ſale, for behoof of the creditors; and if the bankrupt ſhall reſuſe to obey ſuch order, the court, or the lord ordinary, may puniſh him by imprisonment; and in that caſe, or in caſe of the ſaid bankrupt being abſent from *Scotland*, or for any other reaſon not granting ſuch diſpoſition within the time that he is ordered by the interlocutor ſo to do, the court, or the lord ordinary, ſhall, upon the application of the trustee, iſſue an act or decree, finding the property of the whole ſequeſtrated eſtate and effects, real and perſonal, to be in the ſaid trustee or trustees in ſucceſſion, for behoof of the creditors, and adjudging, decerning, and declaring the whole lands and other heritable eſtate within the jurisdiction of the court ſpecially enumerated, and which were the property of the bankrupt, to pertain and belong to the trustee or trustees in ſucceſſion irredeemably, to the end that the ſame may be ſold and converted into money for payment of the creditors; which adjudication ſhall have the ſame effect as if the bankrupt had executed the conveyance before mentioned; and the factor originally named ſhall immediately deliver over to the trustee every

Minutes of the meeting to be reported to the court.

Bankrupt, reſuſing to obey the order of the court, may be imprisoned, &c.

part of the bankrupt's estate or effects in his possession, and all securities taken for the same, or any part thereof, and pay such balance as may appear to be due by him upon settling his accounts; declaring always, that if any part of the bankrupt's property happens to be entailed, the conveyance to be executed by him, or the decree of adjudication to be obtained by the trustee, shall only be understood to carry that right and interest in the estate which the bankrupt himself has, and which his creditors can validly attach.

Disposition of the heritable estate to be registered in the register of abbreviates of adjudications, &c.

XX. And be it further enacted by the authority aforesaid, That the said disposition of the heritable estate, together with the order of the court, or lord ordinary, on which it proceeds, or failing thereof, the decree of adjudication of the court, or of the lord ordinary, shall within sixty days of the date thereof, be registered by the trustee in the register of abbreviates of adjudications, and shall have the effect to entitle the trustee, for behoof of the whole creditors, to rank in the same manner upon the heritable estate as if it had been a proper decree of adjudication obtained at the date of the interlocutor awarding the sequestration, accumulating the whole debts principal and interest, as at that period, and adjudging for security or payment thereof, so as to rank *pari passu* with any prior effectual adjudication led within year and day of the same; and the said disposition or adjudication shall not be reduceable upon any of the statutes concerning bankrupts, nor struck at by any inhibition, or other legal interpellation; saving however, in the ranking upon the price, any other effect which such inhibition or interpellation may have with regard to contractions of the debtor posterior to the date thereof.

How the titles requisite to vest heritable property shall be made up in the person of the trustee, &c.

XXI. And be it enacted by the authority aforesaid, That upon the said disposition, or decree of adjudication, the feudal titles requisite by the law of *Scotland* to vest heritable property, shall and may be made up either in the person of the trustee, or in the person of the purchaser from him, in virtue of such trustee's conveyance, agreeable to the forms of the law of *Scotland*; and each trustee succeeding a prior trustee, through his death, resignation, or removal, unless substituted to him at his first nomination, shall be vested in the right either by disposition from the former trustee, or by adjudication obtained by the new trustee on a summary application to the court, or lord ordinary, as before; and the superior shall, if required, be obliged to enter the trustee or trustees in the same manner as he is directed by an act made in the twentieth year of his late Majesty's reign, for abolishing ward-holdings, without being intitled to more than one composition for the whole; and if the trustee shall afterwards discover any other heritable subjects belonging to the bankrupt, and which belonged to him at the date of the application for sequestration, the same shall either be disposed or adjudged in manner before directed, and to the same effect; and in case the bankrupt's own titles to any part of the estate, real or personal, which belonged to him at that period, or to which

which he had then succeeded as apparent heir, nearest in kin, or otherwise, to any predecessor, have not been so completed as to vest the right properly in him, the factor or trustee shall take the most safe and eligible method of completing the bankrupt's title, in such way and manner as the law requires; declaring always, that the rules of preference or ranking between the creditors of the ancestor and those of the heir by the law of Scotland are not meant to be altered by any thing contained in this act.

XXII. And be it further enacted by the authority aforesaid, That the whole estate, whether real or personal, belonging to the bankrupt at the period of the sequestration, shall become a fund of division among those who were his creditors prior to the date of the application, and none else, according to their due order of preference; and all payments made by a debtor to any of his creditors after such application, shall be void and ineffectual to the receivers in the event of a sequestration taking place, and the factor or trustee shall be intitled to recover the money so paid as part of the bankrupt's estate; and all transactions of the bankrupt subsequent to the date of the application, from which any prejudice may arise either to the creditors or to third parties, shall be null and void; declaring always, that nothing herein contained shall oblige a *bona fide* purchaser of any part of the moveable effects from the bankrupt while in possession, and for a price truly paid, to restore the effects so purchased; nor the debtor of a bankrupt, who has paid his debt to him *bona fide* without knowing of the bankruptcy, to pay it a second time to the factor or trustee.

Bankrupt's whole estate, at the period of sequestration, to be a fund of division among his creditors prior to that date.

XXIII. Providing always, That if, after the said application, and before a final division among the creditors, any estate or effects, either real or personal, shall devolve upon the bankrupt, either in the way of succession, or otherwise, he shall be obliged, immediately when such event happens, to make a full discovery thereof to the factor or trustee, and shall, if required, make oath to the same before any magistrate of the borough, or judge ordinary of the county of his residence, in order that the factor or trustee may have an opportunity of taking such steps as are necessary or proper for the interest of his constituents; and the said factor or trustee shall likewise give immediate notice thereof to the creditors, either at the first general meeting, or by advertising a meeting for the purpose.

Effects devolving upon the bankrupt after the application and before a final division.

XXIV. And be it enacted by the authority aforesaid, That no arrestment of a debtor's personal estate, or any part of it, used at any time within thirty days before an application for a sequestration under the authority of this act, shall give any preference to the arresting creditor in the event of a sequestration taking place; and the arrestee shall be obliged to deliver the effects arrested, or pay what he owes the bankrupt, to the factor or trustee, as if such arrestment had been used for the whole creditors; and if the arrestee has delivered the effects, or paid the money arrested to the arrester, by virtue of a decree of

No arrestment of a debtor's personal estate, within 30 days before application for a sequestration, shall be valid.

forthcoming, or any other authority whatever, the arrefter shall be obliged to pay or deliver the same to the factor or trustee: and in like manner no pointing of a debtor's effects not completely executed thirty days before such application, shall give any right or preference to the pointer in the event of a sequestration taking place, but the pointer shall be obliged to deliver to the factor or trustee the goods pointed, if not sold or disposed of, when he is required so to do; and if they are then sold or disposed of, he shall be liable to account to the said factor or trustee for the appraised value of the goods pointed, and shall make part of the fund to be distributed among the creditors.

Proviso.

XXV. Provided always, That all arresters and pointers who shall be deprived of the benefit of their respective diligences in manner foresaid, shall be intitled to demand or retain the expence laid out by them in prosecuting such diligences.

Trustee to recover the whole estate of the bankrupt, for the benefit of his creditors.

XXVI. And be it enacted by the authority aforesaid, That the trustee, when appointed, shall forthwith proceed to recover, in the speediest and most effectual manner, the whole estate under his management or power, whether at home or in foreign parts, in order that the same may be distributed among the creditors; and he shall be obliged to follow those directions and rules, with regard to the recovery, management, and sale of the estate real and personal, which are laid down by a majority of the creditors in value, convened at the meeting by which he was appointed, or any subsequent meeting; and besides the stated annual meetings herein-after mentioned, the trustee shall, if required at any time by one fourth of the creditors in value who have produced and proved their claims, be obliged to call a general meeting; or he himself may on any emergency call such meeting, sufficient previous intimation of every occasional meeting, and the purpose of calling it, being always given, by advertisement in the two *Edinburgh* newspapers before mentioned, three weeks at least before the meeting:

Majority of creditors in value to determine relative to the sale of heritable estates.

XXVII. And be it further enacted by the authority aforesaid, That if any part of the sequestrated estate consists of land, or other heritable subjects, it shall be optional to a majority of creditors in value to determine, either at the meeting appointing the trustee, or at any of the subsequent stated meetings, or other meeting called for the purpose, whether the trustee is to bring the said heritable estate to judicial sale before the court of session, or to dispose thereof by voluntary publick sale; and if the latter mode is adopted, the sale made, after such advertisement, and at such upset price as shall be fixed by a majority of creditors in value at any such meeting, shall be valid and effectual, with and under the burden of all debts and claims heritably secured upon the estate, in so far as the same are preferable to the disposition or decree vesting the said estate in the trustee, and the purchaser shall have no concern with the application of the price; and if a majority of creditors in value determined for a judicial sale and ranking the trustee shall be obliged forthwith to proceed in the same, and shall be intitled to carry it on as to
a part

a part of the eſtate, without including the whole, and without any other proof of bankruptcy than the act of ſequeſtration; and it ſhall be enough to call the bankrupt himſelf, and his real creditors in poſſeſſion, upon a citation of fifteen days, whether they are within the kingdom or not, and the edical citations ſhall be diſpenſed with.

XXVIII. Provided always, That nothing in this act contained ſhall bar the right which any preferable heritable creditor may have by the law, as it ſtands at preſent, to bring his debtor's eſtate to a judicial ſale at his own inſtance, unleſs ſuch ſale has been previously brought at the inſtance of the truſtee.

Not to bar the right of any preferable heritable creditor.

XXIX. And be it enacted by the authority aforeſaid, That in every ſuch proceſs of ranking and ſale, the creditors producing their grounds or claims of debt, ſhall be intitled to prove and conſtitute the ſame, if objected to, without bringing ſeparate actions for that purpoſe; but provided always, that the court ſhall only allow a reaſonable time for ſo doing; and the creditors ſhall be intitled to draw their ſhares of the price, in virtue of the diſpoſition and adjudication before mentioned, without the neceſſity of any other adjudication; and no other adjudication ſhall be competent after the date of the ſequeſtration.

Creditors, whoſe claims are objected to may jointly bring an action to prove the ſame.

XXX. And be it enacted by the authority aforeſaid, That the truſtee ſhall be obliged to lodge all money he receives in ſuch bank, or with ſuch banking company, as a majority of creditors in value at any general meeting ſhall appoint; and, failing ſuch appointment, in the royal bank or bank of *Scotland*, and at ſuch intereſt as can be procured for the ſame; and never to retain in his own hands above the ſum of fifty pounds ſterling for the ſpace of ten days, otherwiſe to be liable to the creditors for ſeven and one half *per cent. per annum* on what ever exceeds the ſum of fifty pounds ſterling, in name of intereſt and damages.

Truſtee to lodge the money he receives agreeably to the appointment of a general meeting.

XXXI. And be it enacted by the authority aforeſaid, That the truſtee ſhall within ten days after his appointment is confirmed by the court of ſeſſion, cauſe publiſh an advertiſement in each of the two *Edinburgh* newspapers before mentioned, requiring all the creditors to lodge with him their claims, and vouchers or grounds of debt, with their oaths for proving the ſame as directed by this act, within nine calendar months after the date of the interlocutor awarding the ſequeſtration; ſpecifying the day when the ſaid nine months expire, and certifying thoſe creditors who ſhall neglect to comply with this requiſition, that they ſhall not be intitled to any ſhare in the firſt diſtribution of the debtor's eſtate.

An advertiſement to be publiſhed by the truſtee, requiring the creditors to bring in their claims.

XXXII. And be it further enacted by the authority aforeſaid, That the truſtee ſhall, within one calendar month after the termination of the ſaid nine calendar months, make up a ſtate of the bankrupt's effects that have been converted into money, and a ſtate of the debts which have been proved, and lodged with him in manner before required, calculating intereſt

Further diſcretions to the truſtee.

Court of session to determine all questions relative to objected claims, &c.

Trustee to make up a scheme of division for a second dividend, &c.

upon each up to the date of the sequestration, with a scheme or cast dividing the free produce of the money so recovered among the several creditors in these debts according to their due order of ranking; which states and scheme, together with a general state of the bankrupt's affairs brought down to that period, shall lie open, for the inspection of the creditors or their agents, in the trustee's hands for two months longer, when a stated general meeting of the creditors shall be held at the place of the trustee's residence, exactly at the distance of a year after the sequestration, being the same day twelve months, or the next lawful day thereafter, to give such orders as may appear necessary for the future management, and to receive their first dividends; and the trustee shall give notice thereof two months before by advertisement in the said two *Edinburgh* newspapers; and in case any of the debts claimed upon shall be objected to, in whole or in part, or their place in the ranking disputed, or any other objections shall be made to the scheme, as made up by the trustee, a share of the said fund, corresponding to the utmost amount of the sums or dividends to which the disputed articles may be intitled, shall be left in the bank or banking house where the monies were deposited as aforesaid, till all such questions are determined by the court of session, which the said court is hereby authorized and required to do summarily, on the application of the trustee, or any other person interested, and in such summary process to allow a proof of the debts or of the objections, if required; and if, in the event of such question, the said sum, or any part of it, shall remain unapplied to the debt or debts for which it was claimed, the same shall go into the fund for any subsequent distribution; and the shares of creditors not called for at the time of distribution, shall again be deposited on their risque in the hands of the banking company before mentioned, at such interest as can be got for the same, which interest so gained shall be for the general behoof.

XXXIII. And be it enacted by the authority aforesaid, That within one calendar month after twenty-one calendar months from the date of the sequestration, the trustees shall make up another scheme of division among the creditors, who, before the end of the said twenty-one months, have produced in his hands their claims and grounds of debt, and oaths of verity, as before, together with new states of the funds and debts, and of the bankrupt's affairs in general, as before directed; which shall in like manner remain open for inspection for the two following months; and the next stated general meeting of the creditors for receiving their second dividends, and for the other purposes before mentioned, shall be held after the like advertisement exactly at the distance of another year, being on the same day two years from the date of the sequestration, or on the next lawful day thereafter; and the like procedure shall be followed out at the same intervals of time thereafter, and until the whole funds of the bankrupt are collected and distributed among his creditors; declaring always, that no creditor shall draw any share of the

the different diſtributions, unleſs his grounds of debt, and oath on the verity thereof, ſhall have been lodged with the trustee on or before the reſpective days appointed for that purpoſe, but he ſhall be intitled, in the next diſtribution which happens after the grounds of debt are ſo produced and proved, to draw out of the firſt end of the remaining fund in the trustee's hands, a ſum equal to the former dividend or dividends on his debt, with deduction of five *per cent.* on the ſaid dividends, which is to be retained by the trustee for the common behoof, on account of the ſaid creditor's delay; and further declaring, that in making up the ſchemes of diſviſion, all debts claimed on which are intitled to preference by the law of *Scotland*, not altered by this act, ſhall be preferred accordingly.

XXXIV. And be it further enacted by the authority aforeſaid, That ſuch creditors as claim upon debts whereof the term of payment is not come, may nevertheless, upon diſcounting the legal intereſt to the term of payment, draw their ſhares in proportion to what remains after ſuch diſcount.

Debts claimed before actually due, ſhall be paid, on allowing diſcount.

XXXV. And be it enacted by the authority aforeſaid, That in caſe any of the creditors claiming to be ranked on the ſequeſtrated eſtate, real or perſonal, ſhall have received any partial payment out of the eſtates of other obligants, or in conſequence of any preferable ſecurity upon any particular ſubject belonging to the bankrupt himſelf before the ſequeſtration, the ſaid partial payment ſhall be deducted from the total amount of his debt, and he ſhall only be ranked for the balance after ſuch deduction; but in caſe ſuch partial payment is not recovered till after the ſequeſtration, he ſhall be intitled to rank for his full debt without any ſuch deduction, but ſo as he ſhall never draw in whole more than complete payment of his debt; and the creditors of a company ſhall be intitled to rank upon the eſtates of the individual partners for the debts due to them by the company, deducting only what they may have received before the ſequeſtration, as before.

Creditors claiming who have received a partial payment, the ſame ſhall be deducted from their full debt.

XXXVI. And be it enacted by the authority aforeſaid, That the making production of the grounds of debt along with the oath, ſhall have the ſame effect as to interrupting preſcription of every kind from the period of ſuch production, as if a proper action had been raiſed on the ſaid grounds of debt againſt the bankrupt, and againſt the trustee.

Production of the grounds of debt along with the oath.

XXXVII. And be it enacted by the authority aforeſaid, That in every ſuch oath the creditor deponing ſhall ſpecify every ſecurity he holds for his debt, whether on the eſtate of the debtor, or other obligants: and in caſe any creditor ſhall, after the date of the ſequeſtration, obtain any legal or voluntary preference on any eſtate or ſubject belonging to the bankrupt directly or indirectly, ſituated without the juriſdiction of the court, he ſhall be obliged to communicate and aſſign the ſame to the trustee, for behoof of all the creditors, before he draws any dividend.

Creditor, in his oath, ſhall ſpecify every ſecurity he holds for his debt.

XXXVIII. And be it further enacted by the authority aforeſaid,

Oaths of creditors may be taken before any judge ordinary, or juſtice of peace.

ſaid, That the oaths of verity upon debts required by this act, may be taken before any judge ordinary or juſtice of the peace; and where any creditor is out of the kingdom, of *Great Britain* and *Ireland*, or is under age, or incapable to give an oath, in all ſuch caſes an oath of credulity by the agent, factor, guardian, or other manager, taken in the ſame manner, ſhall be ſufficient; but which oaths, either by the party himſelf, or any other perſon acting for him, ſhall not ſuperſede the neceſſity of bringing legal evidence of the debt, if the ſame is objected to as unliquidated, and where ſuch evidence appears to be neceſſary in the circumſtances of the caſe; and further declaring, that no fee ſhall be paid by any creditor to the clerks of court, or any perſon whatſoever, for an oath of verity or credulity as to the debt claimed being due, or for production of the intereſt or grounds of debt of any creditor, unleſs the debt claimed on exceeds the ſum of ten pounds lawful money of *Great Britain*.

Meeting may choſe three creditors, who may empower the truſtee to compound all doubtful claims of the bankrupt againſt others.

XXXIX And be it further enacted by the authority aforeſaid, That four fifths in value of the creditors convened, either at the meeting when the truſtee is choſen, or at any ſubſequent meeting, ſhall be intitled to choſe any three of the creditors, at whoſe ſight, and with whoſe conſent, or with the conſent of any two of them, the truſtee ſhall be empowered to compound and tranſact, either by ſubmiſſion or by private compromise, all doubtful claims which the bankrupt may have againſt others, or all debts due to the eſtate out of the other bankrupt ſubjects, and likewiſe all doubtful claims or demands made againſt the eſtate, where the ſum claimed upon in this laſt caſe does not exceed fifty pounds ſterling, but not the order of ranking and preference of that or any other debt upon the eſtate; and the ſame majority may exempt the truſtee from being liable for omiſſions, and may declare whether or how far he ſhall be liable for attornies or factors appointed by him.

Effects, &c. of the bankrupt, remaining three years after the date of ſequeſtration, to be ſold by publick auction.

XL. And be it enacted by the authority aforeſaid, That if at the expiration of three years from the date of the ſequeſtration, any of the perſonal effects of the bankrupt, or any debts, whether heritable or moveable, due to him, remain ſtill unliquidated, it ſhall be in the power of four fifths of the creditors in number and value, convened at any general meeting advertiſed for the purpoſe, to direct that ſuch remaining debts and effects be ſold off by publick auction, upon three months previous notice publiſhed in the two *Edinburgh* newspapers before mentioned, the ſale either to be in whole or in lots, as a majority in value of the creditors ſhall direct.

Surplus of debtor's eſtate to be made over to him.

XLI. And be it enacted by the authority aforeſaid, That the ſurplus of every debtor's eſtate real or perſonal, that may remain after payment of his debts, and of the expence incurred in carrying this act into execution, ſhall be paid or made over to the debtor, or to his aſſignees or ſucceſſors.

Bankrupt with concurrence of truſtee, and four

XLII. And be it enacted by the authority aforeſaid, That at any period after the ſequeſtration, and before the final diſtribution, it ſhall be competent for the bankrupt, with concurrence

rence of the trustee, and four fifths of the creditors in number and value, who have produced and proved their debts as before, to apply to the court of session, or to the lord ordinary on the bills in time of vacation, for a personal protection from diligence for such time as the court or the lord ordinary shall think reasonable; and the same being once obtained, shall be renewed, if applied for in name of the bankrupt, with consent of the trustee alone, unless any of the creditors oppose it; in which case, the consent of four fifths of the creditors in number and value shall be required, as before; declaring always, that in this and all other cases, where consent of creditors, both in number and value, is required, creditors whose debts are under twenty pounds sterling shall not be counted in the number, though they are to be counted in the value.

fifths of creditors, may, before the final distribution, apply to the court for personal protection from diligence:

XLIII. And be it enacted by the authority aforesaid, That it shall be competent to four fifths in number and value of the creditors, reckoned as before, at any time after the period of the second dividend, to concur with the bankrupt in a petition to the court of session, praying that he may be held as finally discharged of all his debts contracted before the application for sequestration, so far as the same may affect his person, or any personal estate to be acquired by him after the date of the discharge; and this petition being intimated upon the wall, and in the two *Edinburgh* newspapers before mentioned, the court shall, at the distance of not less than three months thereafter, resume the consideration thereof; and if no objection is made, they shall pronounce an act, or order, in terms of the prayer of the petition; but if appearance is made by any of the creditors, objecting the discharge ought not to be granted, on account of the bankrupt's not having made a fair discovery and surrender of his estate, or that he has refused to grant a disposition to the trustee, as ordered by the court, or has wilfully not attended the diets of examination, or has been guilty of any collusion, or that his bankruptcy did not arise from innocent misfortunes, or losses in business, but from culpable or undue conduct, the court shall judge of these objections, and allow a proof of them, if it is thought necessary, and shall either grant or refuse the discharge, as the nature and justice of the case may require; the bankrupt always taking an oath before the court, or upon commission, when judgement is pronounced in his favour, and before the act can be extracted, that he has faithfully complied with all the requisites of the statute, and has used no undue influence, nor had recourse to any compromise with his creditors, or any of them, to obtain their concurrence; and if it shall appear that there has been any such compromise or private transaction between the bankrupt and any of his creditors, the same is hereby declared to be unlawful; and no action shall lie upon any bill, or other security granted in consequence thereof.

and, with the same concurrence, after the second dividend, may petition the court to be discharged of his debts, so far as they affect his person, or his future personal estate.

XLIV. Provided always, That if the bankrupt shall at any time afterwards either set up an equipage, or become possessed of Such discharge not to protect any

heritable property, or equipage, he may acquire before his debts are paid.

of heritable property, by ſucceſſion or otherwiſe, before he has paid all his debts, ſuch equipage or property ſhall be liable to be attached by all or any of his creditors, whether prior or ſubſequent to the diſcharge, as if no ſuch diſcharge had taken place; and the ſame ſhall only be effectual to protect his perſon or other effects.

Allowances to be made to bankrupts.

XLV. And be it enacted by the authority aforeſaid, That if the bankrupt ſhall obtain a final diſcharge, it ſhall be in the power of four fifths of the creditors in number and value, reckoned as before, convened at any meeting thereafter, to make him an allowance of three *per cent.* upon the nett ſtands divided, but not exceeding the ſum of two hundred pounds ſterling in all, if the dividends amount to leſs than ten ſhillings in the pound of the debts, as they ſtood at the period of the ſequeſtration; and five *per cent.* but not exceeding the ſum of two hundred and fifty pounds ſterling in all, if they amount to ten ſhillings, and under twelve ſhillings and ſixpence; or ſeven and an half *per cent.* but not exceeding three hundred pounds ſterling in all, if they amount to twelve ſhillings and ſixpence, and under fifteen ſhillings; or ten *per cent.* but not exceeding the ſum of four hundred pounds ſterling in all, if the dividends amount to fifteen ſhillings in the pound, or upwards; the ſaid allowance to be calculated on the nett amount of the ſums reſpectively to be divided; and in making the ſeveral dividends, the truſtee ſhall have in view to deduct ſo much from each as ſhall leave a fund on hand for anſwering this allowance, in caſe it ſhall afterwards take place; and if the allowance ſhall in the end be reſuſed, a final dividend ſhall be made thereof among the creditors; declaring always, that preferable creditors who are fully ſecured, ſhall not be counted either in the queſtion about the allowance, or in applying for the perſonal protection or the diſcharge.

Sederunt book to contain a record of the proceedings of the truſtee, &c.

XLVI. And be it enacted by the authority aforeſaid, That the ſederunt book before mentioned ſhall contain a full record of all the proceedings of the truſtee, minutes of general meetings, ſtates of accounts, ſchemes of diviſion, and all other matters relative to the truſt; and another duplicate of the whole papers and proceedings, ingroſſed in the ſaid book, ſhall be ſubſcribed by the truſtee, and within fourteen days after the proceedings take place, or the caſts, ſchemes, and accounts, are made out, ſhall be tranſmitted by him to the clerk to the ſequeſtration in the court of ſeſſion, to lie among the records of court; and the ſaid book of ſederunt, and the bankrupt's books and papers, and whole other papers in the truſtee's hands, ſhall at all times be made patent to any creditor who deſires to ſee the ſame.

Any ſequeſtration left unfinished at the end of a ſeſſion, the lord ordinary

XLVII. And be it enacted by the authority aforeſaid, That when any application for ſequeſtration ſhall be made to the court of ſeſſion when ſitting, and any thing ſhall be left undone at the end of any ſeſſion by the want of time, the lord ordinary on the bills is hereby authorized and required to do every thing neceſſary

necessary in execution of this act during the vacation, that he is impowered to do when the petition for fequestration is originally presented to him; and in like manner, when the application for fequestration is made to the lord ordinary on the bills in time of vacation, and any thing is to be done in time of session, the court shall proceed therein in the same way as if the petition had been originally presented to themselves.

XLVIII. And be it enacted by the authority aforesaid, That if any appeal shall be taken against any order or interlocutor of the court of session, or against any act or order of the lord ordinary upon the bills, in the execution of this act, it shall be lawful and competent to the said court in time of session, and lord ordinary on the bills in time of vacation, notwithstanding such appeal, to make such orders, and direct such proceedings, as shall appear to be expedient for preventing the estate of the debtor from being embezzled, secreted, damaged, or delapidated, while the appeal is pendent.

XLIX. And be it likewise enacted by the authority aforesaid, That when any petition for fequestration under the authority of this act is presented, it shall be competent for any other creditor to concur therein, and to follow forth the same, even without the consent or after the death of the creditor or creditors originally petitioning; and the expence disbursed therein shall be repaid by the factor or trustee, out of the first end of the debtor's estate, to the creditor or creditors by whom the same is disbursed; and if the bankrupt shall happen to die in the mean time, the proceedings under this act shall notwithstanding be carried on and followed out to their conclusion, as if he were in life.

L. And be it enacted by the authority aforesaid, That it shall and may be lawful for the court of session to establish such further regulations as shall appear to them most proper for carrying this act into effectual execution according to the true intent thereof, and to publish the same in any act or acts of sederunt, which shall be in force in so far as is consistent with this act.

LI. And be it enacted by the authority aforesaid, That if at the meeting held as aforesaid for appointing a trustee on the bankrupt's estate, or any subsequent meeting called for the purpose, it is determined by a majority of creditors in value, that the estate ought to be vested in a factor accountable to the court of session, and not in the person of a trustee; the person chosen by the majority in value aforesaid shall be, by the court of session, or lord ordinary on the bills, appointed a factor on the said estate, and shall be vested in the same, and obliged to manage, recover, sell, and dispose of the same, and to divide the proceeds thereof, in the same way and manner as the trustee is directed by this act, and under such regulations as the court of session may think proper to lay down for his conduct; and the bankrupt may also in such case be discharged, and intitled to the

on the bills to complete the same, &c.

Court of session, pending any appeal, may make orders for preventing embezzlement of debtor's estate.

On death of a creditor who has presented a petition for fequestration, any other creditor may follow forth the same.

Court of session may establish further regulations for executing this act.

Meeting of creditors may appoint a factor accountable to the court of session.

the same allowances and privileges, and subject to the same conditions as aforesaid.

This act to
extend to
women, &c.

LII. And be it further enacted by the^o authority aforesaid, That this act shall be construed by all judges in the most beneficial manner for promoting the ends hereby intended; and that the same shall be extended to all women as well as men, who fall under the description before recited.

Auctions un-
der this act
not liable to
any duties.

LIII. And be it enacted by the authority aforesaid, That no rates or duties imposed by any statutes upon estates or effects sold by auction, shall be exigible upon any estates or effects, real or personal, sold under the authority of this act.

Sequestrations
obtained un-
der the act
12 Geo. 3.
to continue in
force six
months after
the com-
mencement of
this act;
during which
time, credi-
tors may
apply to the
court of ses-
sion, in order
to have the
sequestration
renewed.

LIV. And whereas doubts may arise, whether any proceedings can be held on the sequestrations that have been awarded under the said act made in the twelfth year of the reign of his present Majesty, continued by that of the twentieth year of his present Majesty, after the same expires; for removing all such doubts, it is hereby enacted and declared by the authority aforesaid, That where any sequestration has been or shall be obtained under the said late act, before it expires, the same shall continue in force for six months after the commencement of this present act; during which time it shall be lawful and competent for any creditor whose debt amounts to the sum of one hundred pounds sterling, or any two creditors whose debts amount to the sum of one hundred and fifty pounds sterling, or any three or more creditors whose debts amount to the sum of two hundred pounds sterling, or upwards, or to the bankrupt himself, with consent of one or more of such creditors, to apply, by summary petition, to the court of session, or the lord ordinary upon the bills in vacation, representing that the said bankrupt is a merchant, or otherwise under the description of this present act, and therefore praying to have the sequestration renewed, with the addition of all lands and other heritable subjects belonging to the bankrupt within Scotland; and upon production of their grounds of debt; and making oath as required in other cases of sequestration under this act, the same regulations shall be followed out as if there had been no previous sequestration of the said bankrupt's personal effects, but saving any right which the creditors have acquired by the said former sequestration; and in case the creditors shall name a new factor or trustee under this present act, the former factor or trustee shall be obliged to denude in his favour, and convey and deliver all effects, monies, papers, books, documents, and writings, of every kind, in his hands, in any shape relating to the sequestrated estate, to the said new factor or trustee, for behoof of the creditors; and if the case does not fall within the description of this present act, it shall be lawful and competent for any one or more of the creditors, but not for the bankrupt himself, to apply to the said court, or lord ordinary on the bills, by summary petition, within the said time, praying that the sequestration of the personal effects shall still subsist, and be carried on under such regulations as the court shall

ſhall think proper to deviſe or appoint, conſiſtently with the general plan of the ſaid late act of parliament; and to the effect of obtaining an equal diſtribution of ſuch perſonal eſtate, in terms of the ſaid late act; which the court, or lord ordinary, may allow, unleſs ſufficient cauſe is ſhown to the contrary.

LV. *And whereas it hath been found by experience, that ſo much of the ſaid act, made in the twelfth year of the reign of his preſent Maſeſty, as relates to bills and promiſſory notes, hath been of great advantage to the trade and commerce of that part of Great Britain called Scotland, be it therefore enacted, That ſo much, and ſuch part of the ſaid act, ſhall be, and the ſame is hereby made perpetual: and that all the powers, authorities, and regulations contained in this act, for rendering the payment of creditors more equal and expeditious, ſhall take place and have continuance, from and after the expiration of this preſent ſeſſion of parliament, and from thence for and during the term of ſeven years, and from thence to the end of the then next ſeſſion of parliament, and no longer.*

So much of the act 12 Geo. 3. c. 72. ſect. 36. as relates to bills and promiſſory notes, made perpetual. Commencement and continuance of this act.

C A P. XIX.

An act for repealing an act, made in the laſt ſeſſion of parliament, for compelling John Whitehill eſquire to return into this kingdom, and for other purpoſes; and for veſting in the ſaid John Whitehill his eſtate and effects forfeited in conſequence of the ſaid act; and for reſtraining him from going out of this kingdom for a limited time; and for diſcovering his eſtate and effects, and preventing the transporting or alienating the ſame.

Recital of 22 Geo. 3. c. 69. The recited act repealed. All proceedings upon the former act declared void, and Mr. Whitehill reſtored to his eſtate, &c. Mr. Whitehill reſtrained from going out of the kingdom before Feb. 1. 1784, and to enter into recognizance for that purpoſe with ſureties. In caſe he neglect to enter into ſuch recognizance, barons of the exchequer may commit him to the Fleet; and if he leave the kingdom before Feb. 1. 1784, he and his aſſiſtants therein ſhall forfeit their eſtates. John Whitehill eſquire, within thirty days after paſſing this act, to deliver into the court of exchequer, on oath, two particulars of his lands, tenements, goods, &c. Barons of the exchequer to deliver one duplicate of the particulars to the ſpeaker of the houſe of lords, and the other to the ſpeaker of the houſe of commons. If the particulars ſhall appear evaſive or unſatisfactory, &c. the barons of the exchequer are to examine the perſons delivering the ſame. In default of attendance upon any ſummons from the ſaid barons, they may iſſue their warrant for apprehending the defaulter; who, on reſuſing to be examined, &c. ſhall be committed. Perſons detaining any part of the property of John Whitehill, eſq; or able to give information concerning the ſame, and who ſhall reſuſe to come before the ſaid barons, &c. when lawfully ſummoned, ſhall be committed. John Whitehill, eſq; diſabled from aſiening or incumbering his real eſtate until Feb. 1. 1784; and alſo from aſſigning his perſonal eſtate, except for ſubſiſtence of himſelf and family, or paying juſt debts contracted before April 29, 1782, and except perſhable goods, and ſo much as will indemnify his ſureties in 20,000l. This act not to diſable John Whitehill, eſq; from diſpoſing of his eſtate or effects in caſe he ſhall die before Feb. 1. 1784. If John Whitehill, eſq; ſhall, before Feb. 1. 1784, convey any of his monies or effects out of the realm (except as is excepted,) he and his aiders therein ſhall be puniſhed as felons. Penalty on perſons who ſhall conceal any eſtate belonging to John Whitehill, eſq; Allowance to be made to perſons making diſcoveries of any eſtate or effects

effects concealed, 20 per cent. if abroad, at 10 per cent. at home. East India company to send an authenticated copy of the particulars delivered into the court of exchequer, to the supreme court of judicature in Bengal, &c. Allowance to persons making discovery of concealed estates or effects in India, 20 per cent. Penalty on persons in India who shall secrete any estate, real or personal, after six calendar months, treble value, one moiety to the East India company, the other to the prosecutor. Forfeited estates, &c. to be paid into the exchequer. Publick act.

C A P. XX.

An act for building a new shire-hall and guild-hall for the county of Salop, and the town of Shrewsbury, in the said county; and for the other purposes therein mentioned.

The expences to be raised by rates on the county of Salop, and the town and liberties of Ludlow, not exceeding 1s. 4d. in the pound to be paid in three years from March 25, 1783; and to be under the direction of the justices of the peace for the county of Salop, and the commissioners of the land tax for the same county, and for the town of Ludlow in the said county; and also of the justices of the peace, and such aldermen of the town of Shrewsbury as are qualified to act as commissioners of land tax for the county at large, and the justices of the several corporations within the said county who are appointed commissioners to put this act in execution.

C A P. XXI.

An act for granting a bounty upon the exportation of British and Irish buckrams and tillettings, British and Irish linens, British callicoes and cottons, or cotton mixed with linen, printed, painted, stained, or dyed, in Great Britain.

Preamble.

WHEREAS the manufacture of linen, callicoes, and cottons, or cotton mixed with linen, and the printing, painting, staining, and dying thereof, would be greatly improved, and the exportation thereof to foreign parts considerably increased, if a bounty was allowed on the exportation of all British and Irish buckrams and tillettings, British and Irish linens, British callicoes and cottons, or cotton mixed with linen, of a certain value, printed, painted, stained, or dyed, in Great Britain: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be given and paid, without any fee, reward, or deduction whatsoever, a bounty for every yard of *British and Irish* buckrams and tillettings, and for every yard of *British or Irish* linen, and of *British* callicoes and cottons, or cotton mixed with linen, printed, painted, stained, or dyed, in *Great Britain*, of the breadth of twenty-five inches or more, which, before the printing, painting, staining, or dying thereof, shall be under the value of five pence *per* yard, the sum of one halfpenny; and of the value of five-pence *per* yard, and under the value of six-pence *per* yard, the sum of one penny; and of the value of six-pence

Bounty to be paid on exportation of British and Irish buckrams and tillettings, &c. printed, stained, or dyed in Great Britain.
29 Geo. 2. c. 15.

pence *per* yard, and not exceeding the value of eight-pence *per* yard, the sum of one penny halfpenny; which, from and after the passing of this act, until the twenty-eighth day of *March*, one thousand seven hundred and eighty-four, shall be exported out of *Great Britain*, to *Africa*, *America*, *Spain*, *Portugal*, *Gibraltar*, or the *East Indies*, in the same manner, and under the like provisions, conditions, limitations, penalties, and forfeitures, as are mentioned and contained in an act passed in the twenty-ninth year of his late Majesty's reign, (intituled, *An act for granting a bounty upon certain species of British and Irish linens exported; and taking off the duties on the importation of foreign raw linen yarns made of flax.*) touching the bounties thereby given upon the linens therein mentioned to be exported.

C A P. XXII.

An act for allowing further time for inrollment of deeds and wills made by papists, and for relief of protestant purchasers. — Enlarged to Sep. 1, 1783.

Preamble. Act 3 Geo. 1. recited. Deeds and wills of papists, &c. made since Sept. 29, 1717, to be good in law, if inrolled before Sept. 1, 1783. This act not to extend to deeds, &c. the validity whereof has been brought in question before Jan. 1, 1783. Purchases made by protestants not to be avoided, on account of the title-deeds not having been enrolled, &c. This act not to make good any grant of the right of presentation to any benefice, &c. in trust for any papist.

C A P. XXIII.

An act to prevent prisoners in the King's Bench prison, or the rules thereof, or their families or servants, gaining settlements in the parish of Saint George the Martyr, in the borough of Southwark, and county of Surrey; and for the relief of the said parish, with respect to the families of prisoners in the said King's Bench, or the Marshalsea prison, or in the county goal, or house of correction belonging to the said county; for regulating the manner of chusing overseers of the poor; and for appointing collectors of the poor's rates, within the said parish.

WHEREAS there are situate within the parish of Saint George the Martyr in Southwark, in the county of Surrey, the following prisons; (videlicet,) the King's Bench prison, the prison of his Majesty's palace court, called The Marshalsea, the common goal of the said county of Surrey, called The new goal, and the house of correction for the said county, called The new Bridewell; and whereas the rules of the said King's Bench prison extend over the whole of the said parish, except a small part thereof; and great numbers of prisoners are permitted to live out of the said prison, but within the said rules; many of whom, with large families and in distressed circumstances, rent houses, or parts of houses, or lodgings ready-furnished, which making them liable to be rated, and

The families of prisoners in the several prisons become chargeable to the parish.

Prisoners in King's Bench, or rules, not to gain settlements in St. George's parish, by means of renting houses or lodgings, or being rated to the poor; nor their servants.

to pay parish rates and taxes, they would thereby gain settlements, and many of which prisoners and their families have become chargeable to the said parish, and of course heavy and grievous burthens on the inhabitants: and whereas many persons gain settlements in the said parish, by living as yearly hired servants with prisoners residing within the said prison, or the said rules, several of which servants being women of bad character, become, together with their bastard children, chargeable to the said parish: and whereas the families of persons being prisoners in the Marshalsea prison, county goal, or house of correction, are frequently sent from the said prisons sick, or otherwise distressed, to the overseers of the poor of the said parish, for relief, and are by them supported, and, when able, removed to their respective places of settlement, if the same can be found out, which brings many heavy expences on the said parish, some of such places of settlement having proved to be at very great distances from the said parish: and whereas the several extraordinary expences before mentioned greatly enhance the distress of the said parish, the poor of which are very numerous, and the inhabitants chiefly tenants at rack rent, and very heavily taxed in all respects, and the said parish, being the great avenue to London, from Portsmouth, Dover, and other parts, many travellers, and poor persons of every description, stop and lodge in the said parish, in houses let by the owners or occupiers thereof in tenements, or in parcels, to under tenants, or in lodgings or separate apartments whereby the number of casual poor are much increased: and whereas the poor of the said parish, both in and out of the work-house, might be more properly employed and maintained, if the whole number of overseers of the poor were not to be appointed at one and the same time in every year; and as the business of collecting the money on the poor's rates within the said parish requires more than ordinary attendance and diligence, it would be a great relief to the inhabitants serving the laborious office of overseer, and might be a means of the said rates being more strictly collected, if power were given to the vestry of the said parish to appoint collectors of the poor's rates, wherefore, for the relief and convenience of the said parish, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, no person or persons whomsoever, now a prisoner or prisoners, or who shall hereafter become a prisoner or prisoners in the King's Bench prison, or the rules thereof, shall gain or be adjudged or deemed to gain a settlement in the said parish of Saint George the Martyr, in the borough of Southwark, in the county of Surrey, by renting a house, part of a house, lodging, furnished or unfurnished, or any other premises whatsoever, within the said parish, or by being rated to and paying any rates or taxes for the same, whilst, he, she, or they shall be such prisoner or prisoners; nor shall any person or persons gain, or be adjudged or deemed to gain, a settlement within the said parish, by, or by reason or on account of living, or having lived or resided

ſided with any priſoner or priſoners, within the ſaid priſon, or the rules thereof, as or in the capacity of a hired ſervant; any law, ſtatute, uſage, or cuſtom, to the contrary notwithstanding.

II. And be it further enacted, That whenever any perſon or perſons, being a priſoner or priſoners in the ſaid priſon of the *King's Bench*, or the rules thereof, or in the priſon of the *Mariſhallſea*, or any perſon or perſons being a part of, or belonging to the family of any ſuch priſoner, or being a ſervant or ſervants to any ſuch priſoner, ſhall be relieved or ſupported, or removed to their reſpective places of ſettlement, by the ſaid pariſh of *Saint George the Martyr*, or ſhall become anyways burthenſome to the ſaid pariſh, all ſuch charges and expences as ſhall be actually incurred and paid by the overſeers of the poor, or veſtry of the ſaid pariſh, on any of the above accounts, ſhall be borne and repaid to the ſaid overſeers by the reſpective pariſhes and places to which they ſhall belong; and ſhall and may be, by them or either of them, recovered of and from any overſeer of the poor of the reſpective pariſh or place, by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Weſtmiſter*, or within the city of *London*, to be commenced and proſecuted by the churchwardens and overſeers of the poor of the ſaid pariſh, or one of them; in which action or ſuit no protection, eſſoin, or wager of law, or more than one impaſſance, ſhall be allowed; every account of ſuch charges and expences being firſt examined and ſigned by a juſtice of the peace, acting in and for the eaſtern half hundred of *Brixton*, and borough of *Southwark*, in the county of *Surrey*, not being an inhabitant of the ſaid pariſh.

Relief given by the pariſh to families of perſons who are in the King's Bench or Mariſhallſea, to be repaid by their reſpective pariſhes;

to be recovered by action of debt, &c.

III. And be it further enacted, That if any perſon or perſons, belonging to, or being part of the family of any priſoner or priſoners in the ſaid county goal or houſe of correction, or any child or children, born in either of the ſaid priſons, ſhall become chargeable to the ſaid pariſh, either for relief or maintenance, or to be removed to their ſettlement, all charges and expences incurred by the ſaid pariſh ſhall be repaid to the overſeers of the poor of the ſaid pariſh, by the treaſurer of the ſaid county of *Surrey*, out of the money belonging to the ſaid county; and in order thereto, the overſeers of the poor of the ſaid pariſh ſhall, once in every year, or oftener if they ſhall think fit, make out a clear and particular account, in writing, of ſuch expences as ſhall, to the time of making out ſuch account, have been incurred and paid, or provided for by the overſeers of the poor of the ſaid pariſh, on account of the reſpective perſons who ſhall have been ſo relieved or ſupported by the ſaid pariſh, or removed from thence to their places of ſettlement; which account the ſaid overſeers ſhall, after ſigning the ſame, lay before two of the juſtices of the peace for the eaſtern half hundred of *Brixton*, and borough of *Southwark*, in the ſaid county of *Surrey*, not being inhabitants of the ſaid pariſh, who ſhall, and are hereby required upon application being made to

Relief given by the pariſh to the families of priſoners in the county goal, or houſe of correction, to be repaid by the treaſurer of the county, out of the county ſtock.

them for that purpose, inspect such account, and, if they think it necessary, examine the said overseers, or any of them, or their books or accounts, touching any the charges in the account laid before them; and unless the said account shall appear to such justices to be fraudulent or unreasonable, they shall immediately sign and allow the same; which account, being produced and delivered to the treasurer for the said county for the time being, shall be a sufficient warrant and authority to him for paying the full sum therein contained, and which he is hereby required to pay on demand, all which sums of money, so to be from time to time paid, shall be allowed in account to him, as treasurer for the said county of *Surrey*.

The owners of divided houses to be answerable for the rates.

IV. And be it further enacted, That all and every person and persons, whether owner, lessee, landlord, renter, or tenant, who shall let his or her house, tenement, or other premises, within the said parish, ready-furnished, or in parcels, or separate apartments, or in lodgings furnished, or unfurnished, shall be deemed the occupier thereof, and shall be subject to be rated to and pay the poor's rates, and all other parochial rates and taxes of the said parish; which rate or rates, assessment or assessments, shall be paid by the person or persons renting or occupying any such ready-furnished house, or any such parcel, or separate apartments, or ready-furnished lodgings; and the person or persons, occupier or occupiers, of whom the same shall be demanded, is and are hereby authorized and required to pay such sum and sums of money as shall be so rated or assessed upon the owner, lessee, landlord, renter, or tenant, and to deduct the same out of his, her, or their respective rent or rents; and such owner, lessee, landlord, renter or tenant, is and are hereby respectively required to allow such payment upon the receipt of the residue of his, her, or their respective rent or rents; and every such person or persons, occupier, or occupiers, paying such rate or rates, assessment or assessments, shall be acquitted and discharged of and for so much of his, her, or their rent or rents as the said rate or rates, assessment or assessments, so paid by him, her, or them, shall amount unto, as if the same had been actually paid to the person or persons to whom his or her rent shall be due and payable; and in default of payment of the said rate or rates, assessment or assessments, the same shall be and remain a charge upon the premises in respect whereof the same shall be so rated or assessed, and shall or may be recovered of and from such owner, lessee, landlord, renter, or tenant, respectively, by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of requests holden in the town and borough of *Southwark*, in the county of *Surrey*, to be commenced and prosecuted by the churchwardens and overseers of the poor of the said parish for the time being, or one of them; in which action or suit no protection, stay, or wager of law, or more than one imparlance, shall be allowed.

V. And

V. And be it further enacted, That on *Easter Tuesday*, one thousand seven hundred and eighty-three, the inhabitants of the said parish of *Saint George the Martyr*, assembled in vestry, shall nominate four substantial householders to serve the office of overseer of the poor of the said parish, and shall cause a list of the names of the said four persons to be delivered to the justices of the peace acting in and for the eastern half hundred of *Brixton*, and borough of *Southwark*, in the said county of *Surrey*, at the next ensuing petty session, for their appointment of two of the said four persons to be overseers of the poor of the said parish; who shall continue in their said office until *Easter Tuesday*, one thousand seven hundred and eighty-four, and until the petty session then next following, when two others shall be appointed in manner aforesaid, to act in their steads: provided nevertheless, that two of the present overseers, *videlicet*, *Joshua Lee*, and *Alexander Charnley*, shall continue in their said office of overseer until two others are appointed at the time herein-after mentioned, and no longer; and that on the twenty-ninth day of *September*, one thousand seven hundred and eighty-three, the inhabitants of the said parish in vestry assembled, shall nominate four substantial householders of the said parish to serve the office of overseer of the poor of the said parish for the year ensuing, and shall cause a list of such four persons to be delivered to the said justices at their next petty session, who shall appoint two of the four so nominated, to be overseers in the room of the said *Joshua Lee*, and *Alexander Charnley*; provided that notice shall be given in the said parish church, on the *Sunday* next before *Easter Tuesday*, and the twenty-ninth day of *September*, in every year, for the inhabitants to meet in vestry on *Easter Tuesday*, and the twenty-ninth day of *September*, annually, for the purpose of chusing overseers of the poor of the said parish; and that for the future the overseers of the poor of the said parish shall continue to be nominated and appointed at the times, and in manner as is herein-before directed, and, not otherwise; provided always, That if the twenty-ninth day of *September* shall happen to be on a *Sunday*, then the nomination to be on the next day; and that if no petty session shall be held within one month after *Easter Tuesday*, or within one month after the twenty-ninth day of *September* respectively, any two justices, dwelling within or near the said parish shall, upon being applied to for that purpose, appoint two persons out of each list, as directed by this act to be made, to be overseers of the poor of the said parish for the year ensuing; and if any overseer shall die, or remove out of the said parish, the said justices may, on application as aforesaid, appoint another in the room of him so deceased or removed; and that all overseers of the poor of the said parish so chosen, shall be subject to the several laws relating to the office of overseer.

VI. And be it further enacted, That it shall be lawful for the rector, churchwardens, overseers of the poor, and vestrymen of the said parish of *Saint George the Martyr*, or the major part of

The vestry
any 2.

collectors of
the poor's
rates

them, at a publick meeting to be held for that purpose, such major part not being less than nine, and they are hereby fully authorized and impowered, from time to time, as they shall think fit, to chuse and appoint one or more fit person or persons to be collector or collectors of the poor's rates of the said parish, and such collector and collectors is and are hereby authorized and impowered to collect and levy the same accordingly; and for the better enabling him or them so to do, it shall be lawful for such collector and collectors to execute all such warrants of distress as shall be granted or issued from time to time by the justices of the peace, against the person or persons neglecting or refusing to pay the said rates, in the same manner, and as fully and effectually, to all intents and purposes, as overseers of the poor, by any law or laws, can or may execute like warrants for recovering the rates assessed for the relief of the poor; and the said vestry, or the major part of them as aforesaid, at any such meeting to be held as aforesaid, shall and may, from time to time, as they think fit, remove any such person or persons from being collector or collectors of the said rates, and appoint another or other person or persons in his or their room or stead; and shall and may, out of such rates, make such allowance to the collector and collectors, for his and their trouble in collecting the same, either by way of salary or poundage, as the said vestry, or the major part of them as aforesaid, shall think fit, so as such poundage do not exceed sixpence in the pound; and they are hereby required to take sufficient security of every such collector, for the faithful accounting for all such monies as he shall receive by virtue of his said office; and such collector and collectors shall, and he and they is and are hereby impowered and required to collect the said rates, when and as often as any rate or assessment shall be made for that purpose, and from time to time to pay over such monies so by them respectively collected, into the hands of the overseers of the poor of the said parish, or any two of them, to be applied for the benefit and relief of the poor of the said parish; and the said collectors shall respectively make up and render to the said vestry, four times in every year, or oftener, if thereunto required, a full, true, and perfect account, upon oath (which oath the said vestry, or any five or more of them, are hereby impowered and required to administer) of all the monies so collected and received by them respectively; and if such collector or collectors shall refuse or neglect to give in a just account, as aforesaid, or to pay the monies remaining in his or their hands in the manner aforesaid, it shall be lawful for any two justices of the peace for the eastern half hundred of *Brixton*, and borough of *Southwark*, in the said county of *Surrey*, upon complaint made to them by any one of the churchwardens or overseers of the poor of the said parish, and proof thereof by any one or more of them, upon oath (which oath the said justices are hereby impowered and required to administer) by warrant under their hands and seals, to commit such collector or collectors to the common goal, there

Collectors to
account.

If they refuse
to account,
&c. may be
committed.

there to remain, without bail or mainprize, until he or they shall have made a true account, and until such money, as upon the said account shall appear to be remaining in his or their hands, shall be paid and satisfied by such collector or collectors, or by his or their security or securities, or shall have compounded for the same; and have paid such composition money unto the overseers of the poor of the said parish appointed as aforesaid; and which composition the said vestry, or the major part of them as aforesaid, are hereby empowered to make.

VII. And be it further enacted, That the charges and expences in and about procuring and passing this act, shall be forthwith paid by the overseers of the poor of the said parish of *Saint George the Martyr*, out of any parish money now in, or hereafter to come into their hands, which shall be allowed in their account.

Expences of this act now to be paid.

VIII. And be it further enacted, That no nomination, appointment, order, judgement, conviction, warrant, or other writing, whatsoever, relating to the execution of or in pursuance of this act, shall be chargeable with any stamp-duty whatsoever.

Writings to be without stamps.

IX. And be it further enacted, That no action or suit shall be commenced or brought against any person or persons for any thing done in, or in pursuance of this act, or of any of the powers hereby given, or any ways in relation to the premises, until twenty-one days notice shall have been thereof given in writing to the vestry clerk of the said parish, nor after satisfaction or tender of amends shall have been made; and every such action or suit shall be commenced and brought within the space of six calendar months next after the cause of complaint shall arise, and not afterwards, and shall be laid and brought in the county of *Surrey*, and not elsewhere; and the defendant or defendants, in such action or suit, shall and may plead the general issue, and give this act, and the special matter, in evidence on any trial to be had thereupon; and if it shall appear to be done in pursuance of this act, or that such action or suit shall be brought before twenty-one days notice being given as aforesaid, or after the time herein before limited in that behalf, or shall be brought in any other county or place than as aforesaid, then the jury shall find for the defendant or defendants; and upon such verdict, or if the plaintiff or plaintiffs shall be nonsuited, or shall discontinue his, her, or their action or suit after the defendant or defendants shall have appeared, or if, upon demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have and be entitled to the like remedy for the same, as any defendant or defendants hath or have in other cases by law.

Limitation of actions.

General issue.

Treble costs.

X. Provided always, That in all such actions or suits any of the inhabitants of the said parish, whose evidence may be necessary, shall be, and are hereby declared to be competent witnesses, notwithstanding they may be charged to and pay any of the rates or taxes within the said parish.

Inhabitants deemed competent witnesses.

Publick act.

XI. And be it further enacted, That this act shall be taken and allowed in all courts of justice as a publick act; and all judges and justices are hereby required to take notice thereof as such, without specially pleading the same.

C A P. XXIV.

An act for continuing an act, made in this session of parliament, intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters; so far as the same relates to the realm of Great Britain.

WHEREAS an act was made in this present session of parliament, (intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters,) which is to continue in force within the realm of Great Britain from the twenty-fourth day of March, in the year of our Lord one thousand seven hundred and eighty-three, until the twenty-fifth day of April, in the year of our Lord one thousand seven hundred and eighty-three: And whereas it is judged necessary by his Majesty, and this present parliament, that a body of forces should be continued for the safety of this kingdom, the defence of the possessions of the crown of Great Britain, and the preservation of the balance of power in Europe; and that the whole number of such forces should consist of forty-one thousand seven hundred and fifty-five effective men, including four thousand one hundred and fifty-five invalids: And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm by martial law, or in any other manner than by the judgement of his peers, and according to the known and established laws of this realm; yet nevertheless it is requisite, for the retaining all the before mentioned forces in their duty, that an exact discipline be observed, and that soldiers, who shall mutiny or stir up sedition, or shall desert his Majesty's service, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act, and every clause, matter, and thing therein contained, shall be and continue in force, within the realm of Great Britain, from the twenty-fourth day of April, in the year of our Lord one thousand seven hundred and eighty-three, until the twenty-fifth day of June, in the year of our Lord one thousand seven hundred and eighty-three, in as full and ample manner, to all intents and purposes, as if the same were repeated and re-enacted in the body of this present act.

Cap. 17, of the present session, continued, within Great Britain, until June 25, 1783.

and also the articles of war.

II. And be it further enacted by the authority aforesaid, That any articles of war, which his Majesty hath formed, made, and established, by virtue of the powers given to him by the said act, shall be and remain in full force, within the realm of Great Britain,

1783.] Anno vicesimo tertio GEORGII III. C. 25,—27:
Britain, until the said twenty-fifth day of *June*, one thousand
seven hundred and eighty-three.

23

C A P. XXV.

An act to enable the corporation of the governor, bailiffs, and commonalty, of the company of conservators of the great level of the fens, to sell their taxes of certain lands within the middle and fourth levels, part of the said great level, which have been or may be dug for turf; and to apply the money arising from such sale, towards discharging the bond debts of the said corporation upon account of those levels.

Act 15 Car. 2. c. 17. recited. Recital of an act 20 Car. 2. c. 8. for taxing 83,000 acres (parcel of the 95,000) by a gradual acre tax, and 12,000 acres at a medium of such tax. The lands set out into 11 ferts or degrees, according to which the same have since been taxed. The great level divided into three parts. By an act 27 Geo. 2. c. 19. the north level separated from the middle and fourth levels. By 29 Geo. 2. c. 9. new bonds directed to be given by the corporation for the debt of 28,440l. reduced to 27,440l. due on account of the middle and fourth levels. By 12 Geo. 3. the corporation empowered to borrow further sums on account of those levels. 44,000l. The debt of the corporation, on account of the levels, now 35,800l. Part of the taxed lands cut or to be cut, other parts are fit for that purpose. The corporation empowered to sell the taxes of such lands as have been, or may be cut for turf, to the owners of such lands. The money to be applied towards discharging the debts of the corporation on account of the middle and fourth levels. Publick act.

C A P. XXVI.

An act to repeal so much of two acts, made in the sixteenth and seventeenth years of the reign of his present Majesty, as prohibits trade and intercourse with the United States of America.

16 Geo. 3. cap. 5. and 17 Geo. 3. cap. 7. so far as they prohibit trade and intercourse with the united states of America, or to authorize hostilities against them, after the periods set forth in the King's proclamation dated Feb. 14, 1783, repealed.

C A P. XXVII.

An act to ascertain and establish the boundaries of and between the hospital of Bridewell and the precinct thereunto belonging, and the parish of Saint Ann Black Friars, in the city of London, as therein specified.

Recital of 22 Geo. 3. c. 77. and 29 Geo. 2. for building Black Friars' Bridge. Agreement of the vestry of Saint Ann's, on Nov. 27, 1782, That in future, the centre of New Bridge Street, from Bride Lane northward, extending towards the south along the centre of the said street, to the centre of the foot of the north side of Black Friars' Bridge, including the stairs on the west side of the same street, should be the boundary between the said parish and Bridewell Hospital and Precinct. By agreement of the vestry of Bridewell Precinct, on Dec. 3, 1732, the same boundaries were assented to; and by orders of a general court, on Dec. 18, 1782, the same boundaries were confirmed.

C A P. XXVIII.

An act for removing and preventing all doubts which have arisen, or might arise, concerning the exclusive rights of the parliament and courts of Ireland, in matters of legislation and judicature; and for preventing any writ of error or appeal from any of his Majesty's courts in that kingdom from being received, heard, and adjudged, in any of his Majesty's courts in the kingdom of Great Britain.

Parliament
acted in 1783
13 Geo. III. c. 28.

WHEREAS, by an act of the last session of this present Parliament, (intituled, An act to repeal an act, made in the sixth year of the reign of his late majesty King George the First, intituled, *An act for the better securing the dependency of the kingdom of Ireland upon the crown of Great Britain*;) it was enacted, That the said last-mentioned act, and all matters and things therein contained, should be repealed: and whereas doubts have arisen whether the provisions of the said act are sufficient to secure to the people of Ireland the rights claimed by them to be bound only by laws enacted by his Majesty and the parliament of that kingdom, in all cases whatever, and to have all actions and suits at law or in equity, which may be instituted in that kingdom, decided in his Majesty's courts therein finally, and without appeal from thence; therefore, for removing all doubts respecting the same, may it please your Majesty that it may be declared and enacted; and be it declared and enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said right claimed by the people of Ireland to be bound only by laws enacted by his Majesty and the parliament of that kingdom, in all cases whatever, and to have all actions and suits at law or in equity, which may be instituted in that kingdom, decided in his Majesty's courts therein finally, and without appeal from thence, shall be, and it is hereby declared to be established and ascertained for ever, and shall, at no time hereafter, be questioned or questionable.

The above
clause shall
prevent any writ
of error or appeal
from the courts in
Ireland, shall
be received
by any court
in Great Britain.

No writ of error or appeal from the courts in Ireland, shall be received by any court in Great Britain.

II. And be it further enacted by the authority aforesaid, That no writ of error or appeal shall be received or adjudged, or any other proceeding be had by or in any of his Majesty's courts in this kingdom, in any action or suit at law or in equity, instituted in any of his Majesty's courts in the kingdom of Ireland; and that all such writs, appeals, or proceedings, shall be, and they are hereby declared null and void to all intents and purposes; and that all records, transcripts of records or proceedings, which have been transmitted from Ireland to Great Britain, by virtue of any writ of error or appeal, and upon which no judgement has been given or decree pronounced before the first day of June, one thousand seven hundred and eighty-two, shall, upon application made by or in behalf of the party in whose favour judgement was given, or decree pronounced, in Ireland, be delivered to such party, or any person by him authorized to apply for and receive the same.

C A P. XXIX.

An act for rendering effectual an act, made in the fixteenth year of the reign of his present Majesty, for the better relief and employment of the poor within the hundred of Forehoe, in the county of Norfolk.

16 Geo. 3. c. 9. recited; whereby power was given to borrow 11,000*l*. The whole of that sum hath been borrowed, and is found insufficient for the purposes of the act. Power to borrow a further sum of 3,000*l*. Power to lay additional rates, not exceeding 1*s*. 3*d*. in the pound. Appeal against the rates. The application of the rates directed to pay the principal debt and interest, and then to cease.

C A P. XXX.

An act to indemnify such persons as have omitted to qualify themselves for offices and employments; and to indemnify justices of the peace, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving further time for those purposes; and to indemnify members and officers, in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or, having been stamped, have been lost or mislaid; and for allowing them time to provide admissions duly stamped; and to give further time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors. — To qualify before Dec. 25, 1783, and file affidavits of articles of clerkship before the last day of Michaelmas term, 1783.

C A P. XXXI.

An act for better paving, cleansing, lighting, and watching, the streets, lanes, yards, courts, alleys, and passages, within the parish of Saint Mary, Rotherhithe, otherwise Redriffe, in the county of Surrey, and for removing and preventing nuisances and annoyances therein.

The expences to be defrayed by a rate on the inhabitants, not exceeding 2*s*. 3*d*. in the pound per annum; and tenants, whose leases shall not exceed seven years, to be allowed one-third of the rates by their landlords. Where houses are unoccupied the owners to pay half the rates, and churches, &c. and void spaces of ground, &c. to pay not more than 6*d*. per square yard. Tenants paying rates may deduct the landlord's part out of their rents; but no agreement between landlord and tenant vacated. Commissioners may compound with parishes, bodies politick or corporate, or trustees; and may borrow 6,000*l*. on annuities for lives, at not more than 10 per cent. per ann. charged on the rates, clear of land tax; and as the annuitants die the rates to be lowered.

C A P. XXXII.

An act for amending an act made in the last session of parliament, for the better relief and employment of the poor of the parish of Saint John of Wapping, in the county of Middlesex; and for providing a proper workhouse and burial ground for the use of the said parish; and for opening certain communications, and making certain streets, within the said parish.

Act 12 Geo. 3. c. 35. recited; and so much as extends to the appointment of trustees for the relief and employment of the poor, and building a workhouse, and providing a burial ground for the said parish, repealed: but not to extend to such parts as relate to opening communications, &c. The mayor, aldermen, and recorder of the city of London, and the pre-
sidents

sidents and treasurers of Saint Bartholomew's, Christ's, Bridewell, Bethlehem, and Saint Thomas's hospitals, the rector, curate, churchwardens, and overseers of the poor of the said parish for the time being, with twenty-five other inhabitants of the said parish, qualified as in the act, to be annually chosen by them, to be trustees for putting this act and the former in execution; and the qualification of trustees altered from 15*l.* to 22*l.* per annum. Rates to be made for relief of the poor by the trustees, at least four times in every year, and accounts thereof to be produced at meetings, to be entered by the vestry clerk, and an abstract printed annually.

C A P. XXXIII.

An act to amend and render more effectual several acts passed in the sixth, tenth, fifteenth, and sixteenth years of the reign of his present Majesty, for making a navigable canal from the Trent to the Mersey; and a branch from the said canal to Froghall, and a rail-way from thence to or near Caldon, in the county of Stafford.

Act of 6 Geo. 3. for making a navigable canal from the Trent to the Mersey, recited. That, in pursuance of the said act, and two others of 10 and 15 Geo. 3. the company have raised various sums, amounting in the whole to 140,000*l.* (besides 130,000*l.* by subscription amongst themselves.) and have regularly paid interest to Sept. 18, 1775, at 5 per cent. per ann. and from thence to March 18, 1780, is in arrear, and amounts to 29,250*l.* The trustees empowered to assign the tolls, &c. for securing the same with interest at five per cent. per ann. to be paid half yearly. Form of assignment. Recital of 16 Geo. 3. c. 32. for making a canal to Froghall, and a rail-way to Caldon. The company have completed the last-mentioned canal. The present rail-way in an inconvenient course. Power granted for making an extension of five hundred and thirty yards of the canal at Froghall, and altering the course of the rail-way from thence to Caldon, and to make a reservoir within three thousand yards of the south side of the summit of the said canal, at Stanley Moss. Canal to be made, pursuant to the plan, in a book of reference.

C A P. XXXIV.

An act for removing certain disabilities and incapacities, occasioned by the attainder of David Ogilvy of Airly, esquire.

Act 19 Geo. 2. c. 26. whereby the said David Ogilvy taking upon himself the title of Lord Ogilvy was attainted, recited. Pardon, March 30, 1778. All disabilities and incapacities, occasioned by the attainder of the said David Ogilvy, made void; and he and his heirs, &c. enabled to hold any office under his Majesty, to inherit lands, and commence suits, &c. His attainder not to affect any entail or settlement, &c. made or granted by or to him, or his heirs. He may sue and be sued, plead, and be impleaded, &c. General saving.

C A P. XXXV.

An act for raising a certain sum of money by way of annuities, and for establishing a lottery.

12,000,000*l.* to be raised by annuities, and 480,000*l.* by a lottery. Contributors to the sum of 12,000,000*l.* to be entitled to certain annuities; viz. for every 100*l.* contributed to 100*l.* annuity at 3 per cent. from January 5, 1783; and 25*l.* annuity at 4 per cent. from April 5, 1783, redeemable by parliament; and also to an annuity of 13*s.* 4*d.* for seventy-seven years, from January 5, 1783, and then to cease; which shall be charged upon a fund to be established this session, and collaterally on the sinking fund. Every contributor of 1,000*l.* shall, upon payment of 40*l.* more

more, be intitled to four lottery tickets. Books having been opened at the bank, and deposits made, pursuant to a resolution of the house of commons, of 15 per cent. All persons who have made deposits, required to pay the remainder of their subscriptions at certain times specified; viz. on the 12,000,000l. 10 per cent. May 30, 15 per cent. June 27, 10 per cent. July 29, 15 per cent. August 29, 10 per cent. September 26, 15 per cent. October 31, and 10 per cent. December 5. On the 480,000 lottery, 20 per cent. June 3, 25 per cent. July 11, 20 per cent. September 9, and 20 per cent. October 3. Subscribers to the annuities to be allowed interest for all monies paid in advance, at 3 per cent. per ann. Subscribers to the lottery, on paying in the whole of their subscriptions, shall receive tickets to the amount thereof. Annuities shall be paid half yearly. Persons paying their whole contributions by July 2, 1783, to receive their dividends on 3 per cent. and 13s. 4d. annuities due July 5, 1783, immediately; and those not paying till January 5, 1784, when they may receive both dividends together, tax free, with other usual clauses. The 3 per cent. annuities granted by this act, shall be added to the 3 per cent. consols. transferrable at the bank. The 4 per cent. annuities granted by this act, shall be added to the same fund as the 4 per cents. granted by the lottery acts of 20, 21, and 22 Geo. 3. The annuities of 13s. 4d. per ann. for seventy-seven years, to be added to the consolidated long annuities of 1, 2, 4, 20, and 22 Geo. 3. but to be paid out of the fund to be established this session. 480,000l. to be raised by a lottery; the prizes whereof to be paid out of any supplies granted this session. Books to be prepared with two columns, on each of which 48,000 tickets are to be printed. The number and value of the fortunate tickets in all 16,036: two of 20,000l. two of 10,000l. three of 5,000l. eight of 2,000l. sixteen of 1,000l. thirty of 500l. one hundred and fifty of 100l. three hundred of 50l. and fifteen thousand five hundred and twenty-five of 20l. 500l. to each first-drawn ticket of the first twelve days; 1,000l. to ditto the 15th day; 1,500l. to ditto the 19th day; 2,000l. to ditto the 22d day; 3,000l. to ditto the 25th and 28th days; and 1,000l. to the last-drawn. Lottery to begin drawing on Nov. 17, 1783. The 480,000l. for the payment of the fortunate tickets, to be charged on any supplies granted this session; and shall be paid to the proprietors, without any deduction, on March 1, 1784, &c.

C A P. XXXVI.

An act to discharge and indemnify the united company of merchants of England trading to the East Indies, from all damages, interest, and losses, in respect to their not making regular payment of certain sums due, and to become due, to the publick, and to allow further time for such payment; and to enable the company to borrow a certain sum of money; and to make a dividend of four pounds per centum to the proprietors at Midsummer, one thousand seven hundred and eighty-three.

Act 21 Geo. 3. c. 65. and 22 Geo. 3. c. 51. recited. And that besides the debts due to the publick, the company had been obliged to postpone many of their commercial debts; and that by means of the expences of the wars and hostilities in India, and the homeward bound ships of the said company not having duly arrived, the company were become much distressed in their affairs. Enacted that the commissioners of the treasury may allow the company further time for the payment of 396,466l. 2s. 6d. due for customs, and of 100,000l. which became due December 1, 1781, and also of 42,105l. 10s. which became due March 21, 1783, and of such sums as shall become due for customs before July 1, 1783, till October 1, 1783; on payment whereof the company shall be indemnified. Company empowered to increase their present bond debt, not exceeding 500,000l. beyond their present bond debt; and to make a dividend of 4 per cent. at Midsummer, on their capital of 3,200,000l. for the half year, from January 5, to July 5, 1783.

C A P. XXXVII.

An act to repeal an act, made in the twentieth year of the reign of his present Majesty, intituled, An act to continue, for a limited time, for much of an act, made in the last session of parliament, "for the more easy and better recruiting his Majesty's land forces and marines," as relates to the encouragement of volunteers.

C A P. XXXVIII.

An act for making and maintaining a navigable canal from the river Thames, or Isis, at or near Leachlade, to join and communicate with the Stroudwater canal at Wallbridge near the town of Stroud; and also a collateral cut from the said canal at or near Siddington, to or near the town of Cirencester, in the counties of Gloucester and Wilts.

The company of proprietors of the Thames and Severn canal navigation, incorporated and empowered to make a canal navigable for boats, &c. from the river Thames, or Isis, at some place at or near Leachlade, in the county of Gloucester, through or near Siddington, to or near Hayley Wood, and from thence through or near Sapperton, to join and communicate with a navigable cut or canal now made, between the town of Stroud and the river Severn, at or near Wallbridge, in the same county; and also to make a collateral cut from the said canal at or near Siddington aforesaid, to or near the town of Cirencester, and to supply the same with water from the springs, streams, and water-courses, in the act mentioned, or to be found within two thousand yards of the canal or collateral cut, or from reservoirs to be made, as in the act mentioned. Not to use the springs at Sapperton, but under lord Bathurst's direction. To carry a feeder through lord Bathurst's gardens. To lay a water pipe from the feeder into lord Bathurst's mansion house. Canal and cut not to deviate more than sixty yards from the course in the plan, signed by the speaker of the house of commons. The line of the canal through Mr. Eliot's lands described. For making the canal through several gardens, as mentioned in the act. Breadth of the canal and towing paths not to exceed forty yards (except where raised higher, or cut above six feet deeper than the present surface of the land, and where necessary for the boats to turn, lie, or pass not above one hundred yards in breadth), and settle recompences. Proprietors may raise 130,000*l.* among themselves, at 100*l.* each share: but no one person to have more than one hundred shares. If 130,000*l.* not sufficient, company may borrow 60,000*l.* at interest; and assign the navigation, &c. as a security. The interest of the money borrowed to be first paid. 5 per cent. to be paid to the proprietors, till the works are completed. Subscribers to have a vote for every share by themselves or proxies. General assemblies for choosing a committee of thirteen persons, owners of three shares each at least, subject to control of general assembly. General assemblies to consist of five hundred shares, who may make bye-laws, &c. Rates allowed to be taken for coals, between Stroud canal and Sapperton tunnel, 1*s.* 3*d.* per ton; between the west end of Sapperton tunnel and Cirencester, 1*s.* per ton; and between Cirencester branch at Siddington and Leachlade, 2*s.* per ton; for iron, salt ores, salt rock, lime-stone, chalk, crates of port-ry, crate of black glass, timber, flint, brick, stone, clay, copper, brals, and tin, and tin plates, lead, spelter, and pot metal, window glass, and plate glass, 2*d.* per ton, per mile, and upon all other goods, 3*d.* per ton per mile, and so in proportion. Further allowance for goods remaining upon a wharf above twenty-four hours, as shall be agreed on. Fifty feet of round, or forty feet of square oak, ash, or elm timber, or fifty feet of fir, or deal balk, poplar, beech, or birch, not cut into scantlings, shall be deemed a ton. Power to the proprietors to regulate and fix the price of small parcels under one hundred pounds weight. Boats of less burden than the Thames and Severn boats not to pass without leave. Allowing the owners

ers of lands to use pleasure boats on the canal. Rates to be taken by the Stroudwater company, for coals, &c. passing from their canal into the Thames and Severn canal; viz. for coals from the river Severn to Wall-bridge, and not more than one hundred and fifty yards on the new canal, 2 s. 3 d. per ton; but if more than one hundred and fifty yards on the new canal, and not returning, 1 s. per ton; but if landed within one hundred and fifty yards above Brincombe road, 5 s. per ton. For flint, brick, stone, clay, chalk, salt ores, salt rock, and lime-stone, passing from Stroudwater navigation into the new canal more than one hundred and fifty yards above the said road, and not returning, 2 q. per ton, per mile. For timber, black glass bottles, and phials, and crates of pottery, 1 d. per ton, per mile. For iron castings and wrought iron, and all other goods, 1 d. 3 q. per ton, per mile. For all goods passing through Stroudwater canal, and not going above one hundred and fifty yards on the new canal, 2 s. 3 d. per ton. Vessels passing locks with less than six tons, to pay a lock due, and tonnage for six tons.

C A P. XXXIX.

An act for preventing certain instruments from being required from ships belonging to the United States of America; and to give to his Majesty, for a limited time, certain powers for the better carrying on trade and commerce between the subjects of his Majesty's dominions and the inhabitants of the said United States.

WHEREAS it is expedient, for the purpose of opening a commercial intercourse with the inhabitants of the United States of America, that certain restrictions affecting the same should be removed, and that certain powers should be given, for a limited time, to his Majesty in council, for regulating the said commercial intercourse; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That no manifest, certificate, or other document whatsoever, shall be required for any ship or vessel belonging to the said United States of America arriving from thence at any port in this kingdom, or upon entering or clearing out from any port in this kingdom, for any port or place within the said United States, excepting such bonds as are required to be taken, duly to export and not to reland any goods intitled to a drawback or bounty, or which are prohibited to be used or worn in this kingdom; any law, statute, or custom, to the contrary notwithstanding.

No manifest, &c. required from any American vessel on coming in to or clearing out of any British port, except exportation bonds.

II. And it is hereby further enacted by the authority aforesaid, That in any case where a certificate is required to discharge any such bond, entered into for the due landing such goods within the said United States, such bond shall and may be discharged, upon a certificate under the hands and seals of any officers who are or may be appointed by the said United States, or any of them, for that purpose; and if it shall happen that there shall not be any officer so appointed, then, and in such case, such bond shall and may be discharged, upon a certificate, under the hand and seal of any magistrate of the said United States, or any of them, certifying that there is no such officer at such port or place, and that oath hath been made before

For discharging bonds given for landing goods in America.

such

such magistrate, by the master, or other person having the charge of such ship, that the goods for which such certificate is required were duly landed by him within the said United States.

His Majesty
impowered to
make regula-
tions for car-
rying on
trade with
America.

III. And be it further enacted, That, during the continuance of this act, it shall and may be lawful for his Majesty in council, by order or orders to be issued and published from time to time, to give such directions, and to make such regulations, with respect to duties, drawbacks, or otherwise, for carrying on the trade and commerce between the people and territories belonging to the crown of *Great Britain* and the people and territories of the said united states, as to his Majesty in council shall appear most expedient and salutary; any law, usage, or custom, to the contrary notwithstanding.

Continuance
of this act.

IV. Provided always, That this act, and the powers and authorities hereby given to his Majesty, and all orders issued and published in consequence thereof, shall continue and be in force until the twentieth day of *December*, one thousand seven hundred and eighty-three, and no longer.

C A P. XL.

An act for defraying the charge of the pay of the militia, and of the cloathing for the serjeants and drummers of the militia, in that part of Great Britain called England, for one year, beginning the twenty-fifth day of March, one thousand seven hundred and eighty-three.

Preamble.

Where the
militia is or
shall be raised,
the receiver-
general of the
county is to
issue four
months pay
in advance,
according to
the establish-
ment of pay
here set down;

WHEREAS it is necessary that provision should be made for defraying the charge of the pay of the militia, and of the cloathing for the serjeants and drummers of the militia, in that part of Great Britain called England, for one year, from the twenty-fifth day of March, one thousand seven hundred and eighty-three; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That in every county, riding, or place, within that part of *Great Britain* called *England*, where the militia is or shall be raised, the receiver or receivers-general of the land tax of such county, riding, or place respectively, shall issue and pay the whole sums required, in the manner, and for the several uses herein-after mentioned; that is to say, for the pay of the said militia for four calendar months in advance, at the rate of six shillings a day for each adjutant, where an adjutant is appointed; and at the rate of one shilling for each serjeant, with the addition of two shillings and sixpence a week for each serjeant-major, where a serjeant-major is appointed; and at the rate of sixpence a day for each drummer, with the addition of sixpence a day for each drum-major, where a drum-major is appointed; and also at the rate of sixpence a month for each private man and drummer, for defraying

ing the contingent expences of each regiment, battalion, and independant company of militia; one penny whereof shall be applied for defraying the hospital expences of each regiment, battalion, or independant company; and also for half a year's salary for the clerk of each regiment or battalion of militia belonging to such county, riding, or place, at the rate of fifty pounds a year; and also for the respective allowances to the clerk of the general meetings, and clerks of the several subdivision meetings, at the rates following; (that is to say,) to the clerk of the general meetings, at the rate of five pounds and five shillings for each meeting; and to the several clerks of the subdivision meetings, at the rate of one pound and one shilling for each meeting; and also for the cloathing of the militia for such county, riding, or place, after the rate of three pounds and ten shillings for each serjeant, and two pounds for each drummer, with the addition of one pound for each serjeant-major, and each drum-major.

II. Provided nevertheless, That in any county, riding, or place, where pay has not yet been issued for the militia, no pay shall be issued until his Majesty's lieutenant, or, in his absence, or in case of a vacancy by the death or removal of his Majesty's lieutenant, any three deputy lieutenants of any such county, riding, or place, shall have certified to the commissioners of his Majesty's treasury, and to the receiver-general of the land tax, that three fifths of the number of private militia men of such county, riding, or place, have been inrolled, and that three fifths of the proportion of their commission officers have accepted their commissions, and entered their qualifications as by law required.

III. And be it enacted, That all such sums of money granted for the pay of the militia as aforesaid; except such as shall be due to the several clerks of the meetings aforesaid, and except such as shall be due on account of cloathing, shall, where the militia has never been embodied, be paid, by the said receiver or receivers-general of the land tax, into the hands of the clerk or clerks of the regiments or battalions of militia belonging to such county, riding, or place, upon his or their producing his or their warrant or warrants of appointment to such office, under the hand and seal of his Majesty's lieutenant for such respective county, riding, or place; and where the militia has been embodied, into the hands of the clerk or clerks of the regiments or battalions, upon his or their producing his or their warrant or warrants of appointment to such office, under the hand and seal of the colonel, or, where there is no colonel, of the commanding officer of each regiment or battalion, respectively, notwithstanding such militia shall have been disembodied; and where the militia shall be formed into an independant company or independant companies, such sums as aforesaid shall be paid, by the said receiver or receivers-general of the land tax, into the hands of the respective captain of each independant company of militia, or to such person as such respective

year's salary to the regimental and battalion clerks; and the allowances to the clerks of the general and subdivision meetings; and pay for cloathing of serjeants and drummers.

Where pay has not been issued, no pay to be issued till the lord lieutenant, or deputies, shall have certified to the treasury, and receivers-general the inrolment of three fifths of the men and officers.

The money is to be paid by the receiver-general to the clerk of the regiment or battalion, (except the allowances to the clerks of the meetings,) upon producing the warrant of his appointment;

and for independant companies to the respective captains, or to their order;

according to the establishment laid down in the militia act of 3 Geo. 3. A second payment is also to be made within three months after the first; and a third within three months after the second. Receipts of the persons to whom the money shall be so paid, to discharge the receivers-general. The regimental and battalion clerks are to pay in advance one month's pay to the adjutant; and two months pay to each captain for the serjeants and drummers; and for the serjeant-major and drum-major two months pay to be paid to the commanding officer of the company to which they belong: Captains to distribute the pay accordingly; and account for the same yearly to the clerk, or receiver general if an independent company, according to the following form;

tive captain shall authorize to receive the same, according to the number of persons hereby intitled to receive pay and cloathing, of which such regiment or regiments, battalion or battalions, independent company or independent companies, shall have been appointed to consist; according to the establishment laid down in an act, passed in the second year of the reign of his present Majesty, (intituled, *An act to explain, amend, and reduce into one act of parliament, the several laws now in being relating to the raising and training the militia within that part of Great Britain called England;*) and such receiver or receivers-general of the land tax shall also, within fourteen days after the expiration of the third calendar month from the time of the said first payment, make a second payment for four calendar months in advance; and shall also, within fourteen days after the expiration of the three calendar months from the time of the said second payment, make a third payment for four calendar months in advance, for the pay and contingent expences of the militia, and for the allowances to the regimental or battalion clerk or clerks aforesaid, in the proportions herein before mentioned; and the receipts of such clerk or clerks, and of such captain of an independent company, or captains of independent companies, or of such person or persons as such captain or captains shall so authorize to receive such money as aforesaid, shall be a sufficient discharge to such receiver or receivers-general of the land tax for the several sums of money so by him or them paid.

IV. And be it enacted, That the clerk of each regiment or battalion of militia shall forthwith, after the receipt of such sums of money as aforesaid, pay, or cause to be paid, one calendar month's pay in advance to the adjutant of such regiment or battalion respectively; and to the captain or officer commanding each company belonging to such regiment or battalion, two months pay in advance for the serjeants and drummers; and also to the officer commanding the company to which the serjeant-major and drum-major shall belong, two months pay in advance for such serjeant and drum-major; and so, from time to time, as long as any money on that account shall remain in his hands: which pay every such captain or officer commanding is hereby required to distribute to each person belonging to his company, by this act intitled to receive the same, as it shall become due; and the captain of each independent company is hereby required to distribute to each person belonging to his company intitled thereto, such money as he shall receive for pay of his company by virtue of this act; and such captain or officer commanding shall, once in every year, give in to the clerk of the regiment or battalion to which such company shall belong, or, if captain of an independent company, to the receiver-general, an account of the several payments he shall have made, in pursuance of this act, according to the following form:

County of	Dr.	Per Contra,	Cr.
To cash received of Mr. regimental or battalion clerk, or re- ceiver general [as the Case shall be] for two months pay in advance, ——— }		Paid serjeant for days pay, from the of to the of following ——— }	
		Ditto as serjeant-major (if one in the company) }	
		Paid serjeant for days pay, from the of to the of following ——— }	
		Paid drummer days at sixpence, from the of to the of following ——— }	
		Ditto as drum-major (if one in the company) }	
		Paid drummer days from the of to the of following }	

And shall pay back to the said clerk, or to the receiver-general, (as the case shall be,) the surplus (if any) of the money by him from time to time received, and then remaining in his hands.

V. Provided always, and be it hereby further enacted, That in case the commanding officer of any regiment, battalion, or independant company of militia, shall certify in writing to the clerk of the same, that he hath discharged any serjeant or drummer as unfit for the service; that in such case, no pay shall be issued for the person so discharged, until another be duly appointed by him; and that no payment be made to any serjeant or drummer who hath been so discharged, or who has not previously been approved of by the commanding officer, in case of vacancy by death, or otherwise.

VI. And be it enacted, That the clerk of each regiment or battalion of militia, out of the money hereby directed to be issued and paid to him for defraying the contingent expences of each regiment or battalion, shall, yearly and every year, pay to the colonel or officer commanding such regiment or battalion one penny a month for each private man and drummer, for defraying the hospital expences of each respective company of such regiment or battalion, during the time of the men's being absent from home upon account of their annual exercise; and shall, from time to time, issue out and pay such sums of money as may be necessary for the repair of arms, and the carriage and removal thereof, upon an order in writing signed by the colonel or officer commanding such regiment or battalion; and apply, dispose of, and pay, the residue of such money, for the general use and benefit of each such respective regiment or battalion, in such manner as the field officers and captains thereof, or the greater part of them, shall direct; and shall, yearly and every

and pay back the surplus monies in his hands.

On discharge of serjeants or drummers as unfit for service, no pay to be issued till others are appointed; nor any payment made to such as are discharged by the commanding officer.

The clerks are likewise to pay, out of the sums allowed for contingent expences, 1 d. per man for hospital charges; and the sums necessary for the repair of arms, and carriage thereof. Residue to be applied for the benefit of the regiment, &c. as the field officers and

captains shall direct,
Account of the said sums to be made up yearly, &c.

every year, make up an account of all such money, and the expenditure thereof, and deliver the same to the colonel or officer commanding such regiment or battalion, to be by him examined, allowed, and signed; which account so allowed and signed shall be, and is hereby directed to be, the proper voucher and acquittal of such clerk, for the application and disposal of such money.

Money allowed for contingent expences of independent companies to be applied and accounted for by the captains.

VII. And be it enacted, That the money herein directed to be issued for the contingent expences of each independent company of militia, shall be, in like manner, applied to the particular use of such respective independent company by the captain thereof; and shall, yearly and every year, be in like manner accounted for to the receiver-general of the land tax of the county or place to which such independent company shall belong; whose allowance of such account shall, in like manner, be the proper voucher for the expenditure and disposition thereof.

Clerk to retain money in his hands for his own salary.

VIII. And be it enacted, That the said regimental or battalion clerk may and shall retain to his own use, out of the money so by him received, such further sums as shall complete the allowance herein-before made for his salary.

During the time the troops are embodied, and called out into actual service, and receive pay as the King's other forces, all pay and allowance from the receivers-general is to cease.

IX. And be it enacted, That where any regiment, battalion, or independent company of militia, is or shall be embodied, or called out into actual service, and thereby the officers and private militia-men are or shall be intitled to the same pay as the officers and private men in his Majesty's other regiments of foot receive, all pay from the receiver or receivers-general of the land tax for the county, riding, or place, to which such regiment, battalion, or independent company of militia shall belong, whether to the adjutants, serjeants, or others, and all money allowed as aforesaid for the contingent expences of such regiment, battalion, or independent company of militia, and also the allowance to the clerk of such regiment or battalion, shall, during such time of actual service, and until such regiment, battalion, or independent company, shall be disembodied and return home, cease, and not be paid.

Receivers-general to pay the allowances to clerks of the general meetings, and to the clerks of the subdivision meetings, upon producing orders from the lieutenant or deputy-lieutenants; which order to be a discharge to receivers-general.

X. And be it enacted, That the said receiver or receivers of the land tax shall pay to the clerk of the general meetings his allowance, at the rate of five pounds and five shillings for each meeting, upon his producing an order or orders for that purpose from his Majesty's lieutenant, or from three deputy-lieutenants, assembled at some general meeting or meetings; and shall also pay to each and every of the clerks of the subdivision meetings their several allowances, at the rate of one pound and one shilling for each meeting, upon his or their producing an order or orders from one or more deputy-lieutenant or deputy-lieutenants, assembled in the several subdivision meetings; which said order or orders shall be, to the said receiver or receivers-general of the land tax, a sufficient discharge for the payment of such allowances, and be allowed in his or their account.

XI. Provided

XI. Provided always, and be it enacted, That the clerk of each regiment or battalion of militia shall give security to the receiver or receivers-general of the land tax of the county, riding, or place, to which such regiment or battalion shall belong, by a bond to his Majesty in the penalty of one half of the sum required for the whole year's charge of the regiment or battalion of militia to which such clerk shall belong, for duly answering and paying such sums as he shall, from time to time, have received, and for duly accounting for the same, and for performance of the trust hereby in him reposed; which said bonds shall be lodged in the hands of the receiver or receivers-general of the land tax for the respective county, riding, or place, who, in case the said regimental or battalion clerk shall not duly perform the conditions comprised in the said bond, shall, and is hereby required forthwith to put the said bond in suit, in the name of his Majesty, his heirs and successors; the full costs and charges of which suit, in case judgement shall be given against such regimental or battalion clerk, shall be paid by him to the said receiver or receivers-general of the land tax, who shall likewise be intitled to, and receive to his or their own use, at the rate of five pounds *per centum* out of all such monies as shall be by him or them recovered thereon; and shall account for the residue thereof with the proper auditor of his Majesty's revenue; the said receiver or receivers-general of the land tax charging himself or themselves therewith, upon the next account of the land tax to be by him or them passed.

Regimental and battalion clerks to give security for paying and accounting for the monies received by them;

the bonds to be lodged with the receivers-general, and put in suit by them on non-performance of the conditions; and they are intitled thereupon to full costs and charges; and 5l. per cent. of the money recovered; the residue to be accounted for to the auditor.

XII. And be it enacted, That the clerk of every regiment or battalion of militia, and the captain of every independant company of militia, in every county, riding, and place, within the part of *Great Britain* aforesaid, shall, between the twenty-fifth day of *March*, and the twenty-fourth day of *June*, one thousand seven hundred and eighty-three, deliver to the receiver or receivers-general of the land tax of the county, riding, or place, to which such regiment, battalion, or independant company shall belong, a fair account, in writing, of all monies by him received and disbursed for the service of the preceeding year, in pursuance of this present act, with proper vouchers for the same; and shall pay back to the said receiver or receivers-general of the land tax any surplus of such monies that shall then be in his hands; which said accounts, signed by such regimental or battalion clerk, or by such captain of an independant company respectively, shall be transmitted, by the said receiver or receivers-general of the land tax, into the office of the proper auditor of his Majesty's revenue.

The regimental and battalion clerks and captains of independant companies, are to deliver in accounts of their receipts and disbursements.

XIII. Provided always, and be it enacted, That all penalties, all costs and charges of suit, and all sums of money for which any person or persons is or are by this act made answerable, may and shall be recovered in any of his Majesty's courts of record at *Westminster*, by action of debt, bill, plaint, or information, wherein no *essoyn*, *wager at law*, or *protection*, or more than one *imparlance*, shall be allowed.

Costs, &c. where to be recovered.

No fee payable for any warrant or sum of money issued in pursuance of this act.

Officers on half-pay serving in the militia, may receive the subsistence-money payable to captains, lieutenants, or ensigns, they taking the following oath before a justice.

XIV. Provided always, and be it enacted, That no fee or gratuity whatsoever shall be given or paid for or upon account of any warrant or sum of money which shall be issued in relation to, or in pursuance of this act.

XV Provided always, and be it enacted, That any person being on half-pay, or being intitled to any allowance, as having served in any or either of the two troops of horse guards, or regiment of horse reduced, and serving in the militia, shall and may, and he is hereby impowered to receive and take the subsistence-money by this act directed to be paid to captains, lieutenants, or ensigns; and the receiving and taking such subsistence-money by any such captain, lieutenant, or ensign, shall not be deemed a receiving or taking pay, so as in any manner to prevent such person on half-pay, or being intitled to any such allowance, from receiving his half-pay, or such allowance; and such person shall take the following oath before some justice of the peace, who is hereby impowered to administer the same.

The oath.

I A. B. do swear, That I had not, between the
*any place or employment of profit, civil
 or military, under his Majesty, besides my allowance of half-pay as a
 reduced in late regiment
 of [or allowance as
 in late troop of horse guards, or
 regiment of horse reduced,] save and except my
 subsistence as a captain, lieutenant, or ensign, [as the case may be,]
 for serving in the militia of the county of*

And the taking the said oath shall be sufficient to intitle such person to receive his half-pay, or the said allowance, without taking any other oath; any law, usage, or custom, to the contrary thereof notwithstanding.

Receiver-general, upon receiving a warrant from the commanding officer, certifying the receipt of the cloathing, and an order for payment, is to pay the same accordingly.

XVI. And be it further enacted by the authority aforesaid, That the receiver-general of the land tax, so soon as he shall receive a warrant under the hand of the colonel or commanding officer of their respective regiments or battalions, certifying the receipt of the cloathing for the serjeants and drummers, and an order from the said colonel or commanding officer for the money due on account of the same, payable to the person or persons who furnished the said cloathing, shall pay the sum mentioned in such order to the person intitled to receive the same; and such warrant and order, together with the receipt of the person receiving the said money, shall be a sufficient discharge to such receiver-general.

If any regiment, &c. shall cease, 3s. per diem is to

XVII. And be it further enacted by the authority aforesaid, That in case any regiment, battalion, or independant company, shall cease and determine, during the continuance of this act, the sum of three shillings *per diem* shall be paid to such person

has actually ſerved as adjutant to ſuch regiment, battalion, or independent company, from the time ſuch regiment, battalion, or independent company, ſhall ceaſe, to the twenty-fifth day of March, one thouſand ſeven hundred and eighty-four, ſuch time to be paid to the adjutant from ſuch time to 1784.

C A P. XLI.

An act for impowering perſons navigating veſſels upon the river Trent, between a place called Wilden Ferry, in the counties of Derby and Leiceſter, or one of them, and the town of Burton upon Trent, in the county of Stafford, to hale the ſame with horſes.

Recital of 10 & 11 Gul. 3. c. 20. Henry lord Paget impowered to make and keep in repair towing paths for horſes: for conſigning towing paths to one ſide of the river. For plans and books of reference to be ſigned by the ſpeaker of the houſe of commons, one to be kept by the deputy ſteward of the borough of Burton, and the clerks of the peace of the counties of Derby, Leiceſter and Stafford, to keep each one, to be evidence at law. No deviation to be made in the towing path. If any alteration in the banks, ſo as to vary from the plan, commiſſioners may alter the boundaries. Fords not to be made deeper than 18 inches in the drieſt ſeaſons between Burton upon Trent, and Wilden Ferry. But may be made conformable to thoſe in the river Trent between Wilden Ferry and Gainſborough. Power to take a tonnage for veſſels: viz. For any goods (lime excepted) carried from above Wilden Ferry to the town of Burton, (beſides the tolls already eſtabliſhed by the former act) not more than 2d. per ton. No toll to be taken for veſſels paſſing between Wilden Ferry and Caſtle Donnington; nor for gravel, dung, ſoil, marl, or lime for improvement of land between Wilden Ferry and Burton upon Trent. So much of 10 & 11 Gul. 3. c. 20. as reſtrains perſons from making waris, &c. between Wilden Ferry and Nottingham Bridges, repealed.

C A P. XLII.

An act for better paving, cleaning, and lighting, the pariſh of Saint Paul Covent Garden, within the liberty of Weſtmiſter, and certain places adjoining thereto; and for removing and preventing nuiſances and annoyances therein.

2 Geo. 3. c. 21. 3 Geo. 3. c. 23. 4 Geo. 3. c. 39. 5 Geo. 3. c. 50. 6 Geo. 3. c. 54. 11 Geo. 3. c. 22. ſo far as they relate to Covent Garden pariſh, repealed; and the power given to commiſſioners by the former acts veſted in a committee of the inhabitants of the pariſh. — See ſec. 47. p. 826. Rates 6d. per pound for houſes; and for ground, &c. 6d. per ſquare yard, per annum.

C A P. XLIII.

An act for better paving, cleaning, and lighting, the pariſh of Saint Anne, and ſuch part of Cock Lane as lies in the pariſh of Saint Martin in the fields, within the liberty of Weſtmiſter; and for removing and preventing nuiſances and annoyances therein.

2 Geo. 3. c. 21. 3 Geo. 3. c. 23. 4 Geo. 3. c. 39. 5 Geo. 3. c. 50. 6 Geo. 3. c. 54. 11 Geo. 3. c. 22. repealed and made void ſo far as they relate to Saint Anne's pariſh; and the power given by the former acts to commiſſioners veſted in trustees and a committee of the inhabitants of the pariſh. — See ſec. 55. p. 892. Committee men to take an oath of qualification. Meetings of trustees and committee. Trustees and committee to pay their own

own expences. No act valid unless done at a meeting. All acts of the trustees and committee may be done by the major part of them respectively. Trustees may appoint a clerk, and allow him a salary. Committee may appoint officers, and shall take security from them. No officer to take any fee other than allowed by committee; or be interested in any contract. Salaries of the clerk, inspector, and collector, limited. Officers to account with the committee upon oath half-yearly, for all matters committed to their charge, and all money received and disbursed. Collector to produce an account of the arrears of rates. Copies of such accounts, signed by three of the committee, or by their clerk, shall be transmitted to the trustees. Collector neglecting to deliver his account, or pay his balance, to forfeit 10*l.* and committee may bring an action against him for such forfeiture, &c. or the same may be recovered before two justices. On failure of distress, offender to be committed. Commitment of offenders not to discharge their sureties. Committee may employ workmen, &c. where the expence of the work shall not exceed 40*s.* and contract for paving, cleansing, and lighting. Particulars to be specified in the contracts, which are to be entered in a book. Thirty days notice previous to entering into contracts. No contract to be made but between Feb. 1. and June 1. The level of the streets not to be altered, or inferior materials used, without consent of adjoining parishes. No alteration to be made so as to render the streets worse lighted. Proposals for cleansing to specify what will be allowed for cinders, &c. Persons willing to contract may inspect former proposals. Contracts already made to be valid. Committee to cause the works to be examined; and if not done agreeable to the contracts, may bring actions against the contractors. Committee may compound with contractors for the penalties incurred on nonperformance of contracts. Committee annually to print and distribute extracts of contracts and penalties, &c. Householder making complaint of defective pavement, surveyor to view it, and if defective, to give notice to contractor to amend it. Penalty on contractor for neglect. On nonperformance of contracts for cleansing or lighting, penalty to be recovered. Authorizing the committee to hold special meetings for considering the matter of complaint made by an householder. On contracts not being performed, committee may cause the work to be done by other persons, and deduct the expence from the money due to the contractor. New streets to be first paved at the expence of the owners, who are to compound with the committee for paving thereof. Property of pavements, lamp-irons, materials, &c. vested in committee. Committee may hire ground for depositing materials. Committee may bring actions, &c. against persons taking away materials. Penalty on damaging materials, or taking down lamps, &c. Names of streets to be wrote at or near the entrance, and houses and lamp-irons to be numbered. Penalty on defacing, &c. such inscription. Penalty on wilfully breaking lamps. Persons carelessly or accidentally breaking lamps, to make good the damage. Committee to make rates, for repairing cleansing, and lighting, not exceeding 1*s.* 3*d.* in the pound in any square, and 1*s.* in streets, and other places. Additional rates for paying the money owing and the interest, not exceeding 1*s.* 6*d.* in the pound in the optional streets, and 6*d.* in the other parts of the parish. Houses hereafter to be built, to be assessed as others. Total amount of rates not to exceed that of former years. Empty houses to pay one half rate, which may be recovered from tenants, who may deduct it out of their rent. Church and church-yard, and other publick buildings, to be rated according to the number of square yards of paving belonging thereto. If Committee neglect to make the additional rates, trustees may do it; and if they omit to make the other rates, the inhabitants may do it. Commencement of rates. Rates of houses let in separate apartments, and ready-furnished, to be paid by the tenant, who may deduct the same out of his rent. Rates of houses let to ambassadors to be paid by the landlords. Poor rates may be inspected by an order of three committee men, and copies, &c. taken. Power to recover the rates by distress. Rates may be recovered by action at law. Persons quitting houses or premises before payment of the rates, and persons entering in such houses or premises, to

be ſubject to the payment thereof for the times of their occupying the ſame. Nothing in this act to affect agreements between landlords and tenants. Perſons aggrieved by the rates may appeal to the committee, and the quarter ſeſſions. Collector to pay the money into the bank, or to a banker. Banker to pay money drawn upon him by the truſtees and committee. Penalty on collector keeping 50l. in his hands longer than two days. Commiſſioners to account with the truſtees, relative to optional ſtreets; and with the committee, relative to the other parts of the pariſh, and transfer to them the money in the bank. Preſent committee to account with the committee to be appointed under this act. Arrears may be levied. Truſtees to apply additional rate to pay intereſt and debt. Committee to apply other rates for repairing, cleaning, and lighting, and removing nuiſances, &c. Surplus to be applied towards diſcharging debt; or for new paving. Separate accounts to be kept of rates to be raiſed within the optional ſtreets, for paying the principal and intereſt due on ſuch ſtreets. Creditors to be paid by ballot.—Truſtees may pay ſums under 200l. Notice to be given to the perſons whole bonds are to be paid off. New Securities for 100l. each may be given, inſtead of preſent ſecurities for a larger ſum. Power to borrow money to diſcharge certain debts due upon ſome of the optional ſtreets, and not ſecured upon the rates. Rates may be aſſigned. Form of aſſignment. Aſſignments may be transferred. Form of transfer. Transfers to be entered. Power to borrow money at lower intereſt, to diſcharge ſecurities at a higher. Power to lay a rate not exceeding 2d. in the pound for new paving any ſtreet. For paying a proportion of the expences of the commiſſion, till March 25, 1784. and then to ceaſe. Signs to be placed flat on fronts of houſes. Water to be conveyed from houſes in pipes. Palifadoes broke or defective to be repaired, &c. Poſts in King Square court not to be taken away. Penalty on placing annoyances or obſtructions in the ſtreets. If penalties are not paid, offender to be committed. No hoards to be erected, without licence from the ſurveyor or inſpector to the committee. Penalty on running wheels, &c. or driving carriages, horſes, &c. on foot pavement. Dirt not to be ſwept into common ſewer, or within a certain diſtance of any grate or channel. No perſon other than the ſcavenger, to carry away duſt, &c. Penalty. {Owners of cinders, duſt, &c. may carry away the ſame for their own uſe. No night ſoil to be taken away before 12 at night, or after five in the morning in winter, or four in ſummer, or to be put or caſt in any part of the pariſh, or within a certain diſtance thereof. Scavengers duty. Penalty on neglect. Inhabitants exempted from office of ſcavenger and ſurveyor of highways, from hanging out lights, and return of annoyance jury, on account of defective pavements, &c. Hackney-coaches not to ſtand before the church during divine ſervice on Sundays, Chriſtmas-day, and Good Friday. Pavours to water companies to tranſmit their names, places of abode, and walk, to the committee. Directions for repairing defective water pipes. Penalty on paviour's neglect. If no regular paviour, notice to be tranſmitted to the clerk to water companies. Committee to be reimbursed expences of relaying pavement broken for repairing water-pipes. Liſt of ſtreets to be tranſmitted to water companies. Water company not to be ſubject to pay the expence of paving, or repairing the pavement, unleſs the account be delivered within a limited time. Committee to ſtate in their account to the water company, the charge of ſuch relaying or repairing the quantity of pavement, &c. Treafurer or clerk to the water companies may inſpect the accounts and proceedings of the committee relative to paving. Surveyor or inſpector to verify his account with any water company upon oath, if required. The provisions of the act extended to ſuch part of Cock Lane as lies in Saint Martin's pariſh, until the debt due on that ſtreet be paid off. Proceedings of truſtees and committee to be recorded, and to be ſettled annually; and examined at a veſtry meeting, and may be inſpected. Not to extend to ſuch part of Oxford Street as is in the pariſh of St. Anne, or to ſuch part of Prince's Street as is in the pariſh, until the whole debt be paid off. Penalties and forfeitures how to be recovered and applied. Inhabitants may give evidence. How juſtices to

to proceed for conviction of offenders. Form of conviction. Actions may be brought in the name of one of the trustees, or committee, or their clerk and upon obtaining verdicts, they have power to recover costs. No action to abate on death or removal of clerk. No essoin, &c. to be allowed in actions. Persons aggrieved may appeal to the quarter sessions, on giving eight days notice. Rates and proceedings not to be quashed for want of term, or to be removed by *certiorari*. Plaintiff shall not recover after tender of sufficient amends. Distress not deemed unlawful for want of term. Expences of this act how to be paid. Writings not to be subject to stamp-duties. Limitation of actions. General issue. Treble costs. Publick act.

C A P. XLIV.

An act for amending, and rendering more effectual, an act made in the fifteenth year of the reign of his present Majesty, intituled, An act for building a workhouse, and for the better relief and employment of the poor within the parish of Saint James Clerkenwell, in the county of Middlesex.

C A P. XLV.

An act for regulating the proceedings of the court of justiciary, and circuit courts in Scotland.

20 Geo. 2.
c. 43, recited.

WHEREAS by an act of parliament made in the twentieth year of the reign of his majesty King George the Second, (intituled, An act for taking away and abolishing the heretable jurisdictions in that part of Great Britain called Scotland; and for making satisfaction to the proprietors thereof; and for restoring such jurisdictions to the crown; and for making more effectual provision for the administration of justice throughout that part of the united kingdom, by the king's courts and judges there; and for obliging all persons acting as procurators, writers, or agents in the law in Scotland to take the oaths; and for rendering the union of the two kingdoms more complete;) it is amongst other things enacted, That it shall and may be lawful to and for any party or parties conceiving himself or themselves aggrieved by any interlocutor, decree, sentence, or judgement of any of the inferior judges therein mentioned, concerning matters criminal, of whatever nature or extent the same may be, except all cases which infer the loss of life, or demembration, or in matters civil, where the subject matter of the suit did not exceed in value the sum of twelve pounds sterling, to complain and seek relief against the same by appeal to the next circuit court of the circuit wherein such inferior court shall lie, to be proceeded in before the said circuit court, in the way and manner therein directed; and it is thereby enacted, That, from and after the twenty-fifth day of March, in the year of our Lord one thousand seven hundred and forty-eight, the circuit court shall be regularly held twice in every year, within that part of Great Britain called Scotland; and the judges thereof shall continue by the space of six days at the least, at each town or place where the circuit courts shall be held for the dispatch of business: And whereas it has been found from experience, that few appeals have been taken or brought from

from the inferior courts to the circuit courts, either in matters criminal or civil, parties conceiving themselves aggrieved by the judgments or decrees of the inferior courts, choosing to take their appeals by advocacy or suspension, and to have the same heard and discussed before the courts of justiciary and session, in the course of law as formerly established, rather than by the summary remedy of appeal to the circuit courts, whereby one branch of business in these circuit courts is greatly abridged, and thereby the continuance of the judges at each circuit town for the space of six days is become unnecessary: And whereas the judges continuing at any circuit town for a longer time than may be necessary for dispatching and finishing the business brought before them, is attended with many inconveniences to the publick, and an unnecessary expence to the judges, jury, and whole members of court, as well as the sheriffs and inferior magistrates, who, by law, are obliged to attend the judges while they continue at the circuit towns; for remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for the court of justiciary, and the said court is hereby authorized and required, at the time of settling and appointing the spring and autumn circuits, that is to say, between the first and twentieth days of *March*, and first and twentieth days of *August*, in each year, by an act or minute to be recorded in the books of adjournal, to declare and determine how long the judge or judges shall continue and remain in each circuit town or place of the respective districts; at the expiration of which time so to be limited and declared, the justice-ayre at such town or place shall be concluded and ended, the jury, sheriffs, and other magistrates, discharged from their attendance, and the judge or judges not obliged to continue longer in such town or place; any thing in the aforesaid act to the contrary notwithstanding.

Court of justiciary to determine how long the judges shall remain in each circuit town.

II. Provided always, That if any trial or matter civil or criminal shall happen to be begun or entered upon, and not concluded and determined, before elapsing of the time so to be limited and declared for the judge or judges continuing in each circuit town or place, it shall nevertheless be proceeded in, and the judge or judges, and jury, shall not be at liberty to depart or leave the said town or place till the same is concluded and determined: and provided also, That the judge or judges of the circuit courts shall continue, and the sheriffs and other officers shall attend them, by the space of three whole days at the least at each town or place where the circuit shall be held, but that the jury shall be discharged from their attendance as soon as the business may admit.

All trials begun before the limited time is elapsed shall be finished.

Judges, sheriffs, &c. to continue three whole days in each town,

III. And whereas by an act, made in the twentieth-first year of the reign of his said late majesty King George the Second, intituled, An act for the more effectual trial and punishment of high treason, and misprision of high treason, in the highlands of Scotland; Recital of 21 Geo. 2. c. 19.

and

and for abrogating the practice of taking down the evidence in writing in certain criminal prosecutions; and for making ſome further regulations relating to ſheriffs depute and ſtewards depute, and their ſubſtitutes; and for other purpoſes therein mentioned; and reciting, That whereas the taking down and reducing into writing the evidence given in criminal cauſes and prosecutions (not extending to the loſs of life, or to demembration) before the court of juſticiary, and the circuit courts, in that part of Great Britain called Scotland, had, by experience, been found very inconvenient, and to occaſion great delay as well as expence; it is thereby enacted, That, from and after the firſt day of July, in the year of our Lord one thouſand ſeven hundred and forty-eight, it ſhall and may be lawful for the ſaid court of juſticiary, and the ſaid reſpective circuit courts to proceed in, try, and determine, all cauſes and prosecutions before them for any crime or crimes not inferring the puniſhment of death, or demembration, whereupon the verdict of an aſſize or jury is to paſs, upon examining and hearing the evidence of the witneſs or witneſſes adduced or examined in any ſuch cauſe or prosecution *viva voce*, without reducing into writing the teſtimony of any ſuch witneſs or witneſſes; and that the practice of taking down and reducing into writing the teſtimony of witneſſes in ſuch caſes, be, and the ſame is thereby abrogated and aboliſhed: and whereas the alteration introduced in the trial of the leſſer crimes by the above act has been found, by experience, to be attended with important and ſalutary conſequences: and whereas the taking down and reducing into writing the evidence given in the trial of crimes, which may infer the puniſhment of death, or demembration, as now practiſed in the court of juſticiary, and circuit courts, has been found, by long experience, to be attended with great inconveniencies, by prolonging trials to ſuch a length, as has been found dangerous to the health of the judges, council, and jury, whereby the beſt jurymen are often deterred from attending ſuch ſervice; and thoſe who do attend, after being exhausted with the fatigue of ſuch long trials, are little able to diſcharge their duty in reconſidering the whole evidence as taken down at ſuch length in writing, in order to form their verdict; for remedy whereof, be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid court of juſticiary; and the ſaid reſpective circuit courts, to proceed in, try, and determine all cauſes and prosecutions before them, for any crime or crimes inferring the puniſhment of death, or of demembration, in the ſame manner as is now practiſed in prosecutions for leſſer crimes, by the verdict of an aſſize, or jury, upon examining and hearing the evidence of the witneſs or witneſſes adduced or examined in any ſuch cauſe or prosecution *viva voce*, without reducing into writing the teſtimony of any ſuch witneſs or witneſſes.

Alteration introduced by the ſaid act found to be beneficial.

Court of juſticiary, and circuit courts, may try cauſes for capital offences in the ſame manner as thoſe for leſs crimes.

Diſcretionary power given to the judges.

IV. Provided always, That if in the trial of any of the crimes which may infer the puniſhment of death, or demembration, it ſhall appear to the judges more expedient to take down and reduce into writing the teſtimony of all, or any number of the witneſſes, according to the preſent practice, it ſhall be lawful for them to proceed in that manner; any thing in this preſent act to the contrary notwithstanding.

V. Provided

V. Provided alſo, That in all ſuch trials and prosecutions, whether the evidence be reduced into writing, or be taken from the witneſſes *viva voce*, without reducing the ſame into writing, the council on both ſides, and the pannel, or priſoner, may interrogate the witneſſes upon all pertinent and legal queſtions, and immediately before the aſſize or jury ſhall be incloſed the evidence ſhall be ſummed up by the judge, or one of the judges, before whom ſuch trial ſhall be had.

Counſel, or priſoner, may interrogate witneſſes.

VI. Provided likewiſe, That nothing herein contained ſhall alter, or be underſtood to alter, in any reſpect, the form or mode of trials before the ſaid courts for the crimes of high treaſon, or of miſpriſon of treaſon.

Not to alter form of trials for high treaſon, &c.

VII. And whereas by an act, paſſed in the parliament of Scotland, in the year one thouſand ſix hundred and ſeventy-two, intituled, Act concerning the regulation of the judicatories, among other regulations of the court of juſticiary, it is provided, That four of the judges ſhall always be a quorum of that court: and whereas, by another act of the parliament of Scotland, made in the year one thouſand ſix hundred and eighty-one, intituled, Act appointing the quorum of the juſtice court in time of vacance, it is ſtatuted and ordained, That in time of vacance of the ſeſſion, three of the commiſſioners of juſticiary ſhall be a ſufficient quorum: and whereas it has been found, from experience, that the quorum appointed by the act of the parliament of Scotland firſt above recited, is often attended with inconveniencies, as interfering with the attendance of the judges of the court of juſticiary to their duty as judges in the court of ſeſſion, and that the reaſon for reducing the quorum of the ſaid court of juſticiary to three, applies, with more propriety, to the time of the ſittings of the court of ſeſſion, than to the time of the vacation of that court; be it therefore enacted by the authority aforeſaid, That any three of the judges of the court of juſticiary, who are alſo judges of the court of ſeſſion, ſhall be a ſufficient quorum of the ſaid court of juſticiary, as well during the ſittings of the court of ſeſſion, as in the time of vacance, or recels of that court.

Recital of two acts of the parliament of Scotland.

Three judges of the court of juſticiary to be a quorum, during the ſittings of the court of ſeſſion.

VIII. And be it enacted by the authority aforeſaid, That all the powers, authorities, and regulations, contained in this act, ſhall take place and have continuance from and after the firſt day of July next, for the term of three years, and from thence to the end of the then next ſeſſion of parliament, and no longer.

Commencement and continuance of this act.

C A P. XLVI.

An act for widening the north-weſt end of Fenchurch-ſtreet, and the ſouth end of the Old Jewry, within the city of London.

Common council impowered to widen the paſſages, as deſcribed in the ſchedule annexed.

THE SCHEDULE

To which the act refers.

Ground to be laid into the ſtreet at the weſt end of Fenchurch-ſtreet;
videlicet,

ON the weſt ſide thereof, fronting Gracechurch-ſtreet, from north to ſouth, Twenty-four feet, ſeven inches: on the ſouth ſide thereof, fronting Fenchurch-ſtreet, from weſt to eaſt, forty-fix feet: and on the north-eaſt ſide thereof, upon a curve line, fifty feet.

Ground to be laid into the Old Jewry, at the ſouth-weſt end thereof;
videlicet,

AT the ſouth end thereof, next the Poultry, from eaſt to weſt, ſixteen feet, five inches: on the weſt ſide thereof, from north to ſouth, one hundred and eight feet, five inches: at the north end thereof, from weſt to eaſt, five feet, four inches: and on the eaſt ſide thereof, next the Old Jewry, from north to ſouth, one hundred and eight feet, five inches.

In caſe of reſuſal to treat, or defective title, a jury to enquire of the value. Jurors may be challenged. Court of mayor and aldermen may examine witneſſes on oath, and direct the jury to view. Jury to aſſeſs the value on oath. The court to give final judgement. The owners of houſes, &c. on payment of the money awarded, to convey. In caſe of reſuſal or inability to make a good title, &c. the purchaſe money to be paid into the bank. Such verdicts and proceedings to be entered, and deemed records. On payment of the money, &c. the premises to veſt in the city. In what caſes and manner the court of aldermen may order the money ſo paid into the bank to be placed at intereſt. The dividends to be paid to the perſons in poſſeſſion: but recoverable againſt them by thoſe intitled to the meſne profits. The bank to obey the orders of the court of aldermen, and the city not to be accountable. In caſes of femes-covert having a ſeparate eſtate, the purchaſe money to be paid to whom they direct, in truſt, to the former uſes. The purchaſe money paid for premises bought of other truſtees, to be re-inveſted in other purchaſes upon the ſame truſts. Bargains and ſales enroled in purſuance of this act, to have the operation of fines and recoveries. In what caſes perſons claiming intereſt in any premises ſo ſold, ſhall be barred therefrom. Perſon ſo barred may recover the purchaſe money againſt the perſons to whom paid, together with intereſt. Yearly tenants to ſurrender poſſeſſion, on tender of ſix months rent, or twelve months notice. Mortgagees to accept their money on ſix months notice, or tender of ſix months intereſt. On payment of ſuch money into the bank, the mortgagees eſtate to veſt in the city. All the monies aforeſaid to be paid to the parties, or into the bank, before the city ſhall proceed to pull down any houſes, &c. Court of aldermen impowered to ſet fines on the ſheriffs or officers, jurors or witneſſes making default. For ſecuring the payment of tithes, charged on buildings to be taken down. Common council may diſpoſe of what ſhall be more than is neceſſary for the purpoſes of this act; and may delegate their powers to a committee. What perſons excluded from ſuch committee. When the paſſage is enlarged, the ground to be under the care of the commiſſioners for paying the city. Powers to be void, if not executed within ten years. Writings to be without ſtamps. Diſtreſs not to be deemed unlawful for want of form. Plaintiffs ſhall not recover after tender of ſufficient amends. Order of juſtice, &c. not liable to be quaſhed for want of form; nor removed by certiorari. Limitation of actions General iſſue. Treble coſts. Publick act.

C A P. XLVII.

An act for altering and varying the powers of an act, paſſed in the ſixth year of the reign of King George the Firſt, for making the river Douglas alias Aſland navigable, from the river Ribble to Wigan, in county palatine of Lancaſter; and for enabling the company of proprietors of the Leeds and Liverpool Canal, incorporated by an act paſſed in the tenth year of his preſent Maſteſty's reign, to purchaſe the ſaid river navigation; for amending the ſaid laſt mentioned act; for incorporating and conſolidating the ſaid two navigations and for other purpoſes.

C A P. XLVIII.

An act for improving the navigation of the river Trent, from a place called Wilden Ferry, in the counties of Derby and Leiceſter, or one of them, to Gainsborough, in the county of Lincoln; and for empowering perſons navigating veſſels thereon to hale the ſame with horſes.

C A P. XLIX.

An act for repealing an act made in the twenty-second year of his preſent Maſteſty, intituled, An act for charging a ſtamp-duty upon inland bills of exchange, promiſſory notes, or other notes, payable otherwiſe than upon demand; and for granting new ſtamp-duties on bills of exchange, promiſſory and other notes; and alſo ſtamp-duties on receipts.

Moſt gracious Sovereign,

WHEREAS by an act, made in the laſt ſeſſion of parliament, intituled, An act for charging a ſtamp-duty upon inland bills of exchange, promiſſory notes, or other notes, payable otherwiſe than upon demand, it was enacted, Recital of 22 Geo. 3. c. 33.
That, from and after the firſt day of Auguſt, one thouſand ſeven hundred and eighty-two there ſhould be raiſed, levied, collected, and paid, throughout the kingdom of Great Britain, unto and for the uſe of his Maſteſty, his heirs and ſucceſſors, for every piece of vellum or parchment, or ſheet or piece of paper, upon which any inland bill of exchange, promiſſory note, or other note, payable otherwiſe than upon demand, ſhould be ingroſſed, written, or printed, where the ſum expreſſed therein, or made payable thereby, ſhould not amount to the ſum of fifty pounds, a ſtamp-duty of three-pence; and for every piece of vellum or parchment, or ſheet or piece of paper, upon which any inland bill of exchange, promiſſory note, or other note, payable otherwiſe than upon demand, ſhould be ingroſſed, written, or printed, where the ſum expreſſed therein, or made payable thereby, ſhould amount to the ſum of fifty pounds, or upwards, a ſtamp-duty of ſix-pence: now we, your Maſteſty's moſt dutiful and loyal ſubjects, the commons of Great Britain, in parliament aſſembled, finding that it Purpose of this act.
will

will be convenient, and for the publick service, to repeal the said stamp-duties, so made payable by the said recited act, and to grant unto your Majesty the several new stamp-duties herein-after mentioned, as well for securing a certain fund for payment of such annuities as by the said recited act were charged upon the said stamp-duties, as to enable your Majesty to raise a certain sum of money for the service of the year one thousand seven hundred and eighty-three; therefore do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords (spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of August, one thousand seven hundred and eighty-three, the rates and duties granted by an act made and passed in the last session of parliament, intituled, *An act for charging a stamp-duty on inland bills of exchange, promissory notes, or other notes, payable otherwise than upon demand, shall cease, determine, and be no longer paid and payable.*

From Aug. 1
1783, the re-
cited act re-
pealed.

New duties to
commence on
Aug. 1. 1783.
viz.

II. And be it further enacted, That, from and after the said first day of August, one thousand seven hundred and eighty-three, there shall be raised, levied, collected, and paid, throughout the kingdom of Great Britain, unto and for the use of his Majesty, his heirs and successors, the several rates and duties following: that is to say,

Bills of ex-
change, pro-
missory or
other notes,
drafts or or-
ders, under
50l. to pay a
stamp-duty
of 6d.

If 50l. or
upwards, to
pay 1s.

For every piece of vellum or parchment, or sheet or piece of paper, upon which any foreign or inland bill of exchange, promissory note, or other note, draft, or order, shall be ingrossed, written, or printed, where the sum expressed therein, or made payable thereby, shall not amount to the sum of fifty pounds, there shall be charged a stamp-duty of sixpence:

For every piece of vellum or parchment, or sheet or piece of paper, upon which any foreign or inland bill of exchange, promissory note, or other note, draft, or order, shall be ingrossed, written, or printed, where the sum expressed therein, or made payable thereby, shall amount to the sum of fifty pounds, or upwards, there shall be charged a stamp-duty of one shilling.

From Sept. 1.
1783. the fol-
lowing stamp-
duties shall be
paid; viz.

III. And be it enacted, That, from and after the first day of September, one thousand seven hundred and eighty-three, there shall be raised, levied, collected, and paid, throughout the kingdom of Great Britain, unto and for the use of his Majesty, his heirs and successors, the several rates and duties following; that is to say,

Receipts for
2l. and under
20l. to pay
ad. each:

For every piece of vellum or parchment, or sheet or piece of paper, upon which any receipt, or other discharge given upon the payment of money, amounting to two pounds, and not amounting to the sum of twenty pounds, shall be ingrossed, written, or printed, there shall be charged a stamp-duty of two-pence: a

For

For every piece of vellum or parchment, or sheet or piece of paper, upon which any receipt, or other discharge given upon the payment of money, amounting to the sum of twenty pounds, and upwards, shall be ingrossed, written, or printed, there shall be charged a stamp-duty of four-pence.

For 20 l. and upwards 4 d. each.

7. Provided always, and be it further enacted, That nothing in this act contained shall extend to charge any draft or order, for the payment of money on demand, upon any banker, or person or persons acting as a banker, residing, or transacting the business of a banker, within ten miles of the place of abode of the person or persons drawing such draft or order; or to charge any receipt for any money paid into the bank of *England*, or the house of any banker; or any receipt, or other discharge, given for any money received on any dividend, payable from the publick or government funds established by parliament; or any receipt given on the back of any bill of exchange, promissory or other note, stamped in pursuance of this act; or upon any bank note, or bank post bill; or to any letter acknowledging the safe arrival of any bills, notes, or remittances; or any receipt indorsed on, or contained in the body of any deed, bond, mortgage, or other obligatory instrument, already directed to be stamped by any law now in being; or to any release or acquittance by deed; or to any receipt given by the treasurer of the navy for any money imprested to, or received by him, for the service of the navy; or to the receipt of any agent for money imprested by or to him on account of the pay of the army or ordnance; or to any receipt given by any officer, seaman, or soldier, or their representative, for or on account of any wages, pay, or pension, due to them from the navy, army, or ordnance; or to any receipt given upon any navy, victualling, or ordnance bill, issued, or to be issued, before the first day of September, one thousand seven hundred and eighty-three.

Exemptions of drafts and orders, for payment of money on demand, upon bankers living within 10 miles of the drawer, &c.

Exemption of receipts given by seamen or soldiers for wages or pensions due from the navy, army, &c.

V. Provided always, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to charge any bill of exchange, promissory or other note, draft, or order, payable upon demand, issued in that part of *Great Britain* called *Scotland*, where the sum expressed therein, or made payable thereby, shall not exceed the sum of twenty-one shillings.

Not to extend to bills of exchange, &c. in Scotland, not exceeding 21 s.

VI. Provided also, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to charge any bill of exchange, promissory note, or other note, draft, or order, payable upon demand, with any higher stamp-duty than the sum of three-pence, where the sum expressed therein, or made payable thereby, shall not amount to the sum of ten pounds.

Bills of exchange, promissory notes, &c. under 10 l. payable on demand, to pay only 3 d.

VII. Provided also, and be it enacted, That nothing in this act contained shall extend, or be construed to extend, to any receipt given upon the back of any foreign bill of exchange.

Not to extend to receipts on foreign bills of exchange.

VIII. Provided also, and be it enacted, That no foreign bill of

of

No foreign bill, &c. chargeable with more than 6d. each copy.

Exemption of notes, &c. issued by the bank, in consideration of 75,000l. per. annum.

of exchange, promissory note, or other note, draft, or order, shall be charged with any higher stamp-duty than sixpence; but that every duplicate and triplicate of such foreign bill of exchange, promissory note, or other note, draft, or order, shall be chargeable with the like stamp-duty of sixpence.

IX. *And whereas it may be proper to exempt all promissory and other notes and bills, issued by the governor and company of the bank of England, from the payment of the stamp-duties imposed by this act upon promissory and other notes, in consideration, and upon payment of a certain sum of money in lieu thereof:* be it therefore enacted, That all promissory and other notes and bills, issued by the said governor and company of the bank of England, shall be exempted from the stamp-duties hereby imposed upon promissory and other notes, upon payment of the annual sum of twelve thousand pounds, by the said governor and company, into the receipt of his Majesty's exchequer, by half-yearly payments; such payments to be made on or before the tenth day of October, and the fifth day of April, in every year; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Persons fraudulently evading the duties,

X. *And, in order to prevent, as far as may be, any evasion of the aforesaid duties on receipts,* be it further enacted, That the whole sum for which any receipt shall be given, shall be really and bona fide inserted in such receipt; and that all and every person and persons who shall give or accept any receipt or acquittance, in which a less sum shall be expressed therein than the sum actually received, with an intent fraudulently to evade the said duties, or either of them; or shall separate or divide the sum actually paid or received into divers receipts, with intent to evade the said duties, or either of them; or shall be guilty thereof in any fraudulent contrivance or device whatever; with intent or design to defraud his Majesty, his heirs or successors, of any of the said duties, or either of them, imposed upon receipts by this act; every such person so offending shall forfeit the sum of twenty pounds, to be recovered as herein-after is directed.

to forfeit 20l.

Receipts in full to pay 4d.

XI. And be it further enacted, That all receipts in which the sum mentioned therein shall be expressed to be in full, or as a satisfaction of all demands, and all general acknowledgements of debts or demands being discharged, shall be deemed and taken to be receipts for above the sum of twenty pounds, within the intent and meaning of this act, and shall be liable to the stamp-duty of four-pence hereby imposed.

Duty on bills of exchange, &c. to be paid by the drawer or giver.

Duty on receipts to be paid by the persons requiring them &c.

XII. *And, for ascertaining by whom the said stamp-duties herein-before granted shall be payable,* be it further enacted, That the duty hereby granted on any bill of exchange, promissory note, or other note, shall be paid by the person or persons giving the same; and the duty hereby granted on any receipt, shall be paid by the person or persons by whom the same shall be required; except such receipts as shall be for money paid to any person or persons in respect of any salary, pension, debt, or other sum payable

payable from his Majesty to such person or persons, in which case the duty on such receipt shall be paid by the person or persons giving the same.

XIII. And be it further enacted, That, for the better and more effectually levying and collecting the said duties hereinbefore granted, the same shall be under the care and management of the commissioners for the time being appointed to manage the duties charged on stamped vellum, parchment, and paper; for which purpose they, or the major part of them, are hereby required and impowered to employ the necessary officers under them, and to use and provide such stamps for the said several duties as shall be requisite in that behalf, and to do all other things necessary to be done for putting this act into execution with relation to the said duties, in the like, and in as full and ample manner, as they, or the major part of them, are authorized to put in execution any former law concerning stamped vellum, parchment, and paper.

Management of the duties to be under the direction of the commissioners of stamps.

XIV. And, for the better securing the said stamp-duties hereby imposed, be it further enacted, That all vellum, parchment, and paper, upon which any such bill of exchange, promissory note, or other note, draft, or order, receipt, or other discharge, given for the payment of money, shall be ingrossed or written, shall, before the same shall be ingrossed or written, be brought to the head office for stamping and marking of vellum, parchment, and paper; and the said commissioners, by themselves or their officers, shall, from time to time, stamp or mark, as this act directs, any quantities of vellum, parchment, or paper, upon payment of the said duties: and if any such bill of exchange, promissory note, or other note, draft, or order, receipt, or other discharge given for the payment of money, so hereby directed to be stamped, shall not be marked or stamped as by this act is required, or shall be marked or stamped for a lower duty than as aforesaid, no such bill of exchange, promissory note, or other note, draft, or order, receipt, or other discharge, shall be pleaded or given in evidence in any court, or admitted in any court to be good or available in law or equity.

All vellum, parchment, &c. to be stamped before any promissory note, &c. shall be written thereon.

XV. Provided always, and be it further enacted, That all unstamped receipts, in which any sum of money, not amounting to two pounds, shall be expressed, and which shall (by the insertion of the words, *In full of all Demands*, or otherwise) be given as a general acknowledgement of all debts or demands being discharged, may be pleaded or given in evidence, and may be available in law for such sum so expressed, but not as a general acknowledgement of all debts or demands being discharged.

Unstamped receipts under 2l. may be given in evidence, but not as acknowledgements of all demands being discharged.

XVI. Provided also, and be it further enacted, That all receipts, impressed with a stamp of two pence, in which any sum of money, amounting to two pounds, and not amounting to the sum of twenty pounds, shall be expressed, and which shall (by the insertion of the words, *In full of all Demands*, or otherwise) be given as a general acknowledgement of all debts or demands

Two penny stamps on receipts for 2l. and under 20l. may be given in evidence for the sum expressed thereon.

mands being diſcharged, may be pleaded or given in evidence, and may be available in law for ſuch ſum ſo expreſſed, but not as a general acknowledgement of all debts or demands being diſcharged.

XVII. And whereas a great number of ſtamps, for the value of three-pence, may, under the ſaid recited act of the laſt ſeſſion of parliament, have been already provided and impreſſed upon ſheets or pieces of paper, intended for bills of exchange, promiſſory and other notes, which ſaid bills of exchange, and notes, may have been printed from copper plates provided for that purpoſe: and whereas it might be a very great inconvenience and loſs to merchants, tradeſmen, and others, to have ſuch ſtamps cancelled, and to provide others of the denomination required by this act; be it therefore further enacted, That it ſhall and may be lawful to and for the commiſſioners of his Maſteſty's ſtamp-duties, where bills of exchange, or promiſſory or other notes, ſhall by this act require a ſtamp of ſixpence only, to mark an additional ſtamp of three-pence to the ſtamp of three-pence already impreſſed on the ſame, under the ſaid recited act of the laſt ſeſſion of parliament; and ſuch bill of exchange, promiſſory and other note, ſo ſtamped with the two ſeveral ſtamps of three-pence and three-pence, ſhall be conſidered as good and valid as if the ſame had been ſtamped or marked with one ſtamp of ſixpence, as herein-before directed, and ſhall have the ſame force and effect in law or equity, any thing herein-before contained to the contrary notwithstanding.

Bills, &c.
marked al-
ready with a
threepenny
ſtamp, ſhall
have another
added thereto.

What allow-
ance on
prompt pay-
ment of du-
ties.

Stamps may
be altered and
renewed.

Any perſon
counterfeiting
the ſtamps,
or uttering
ſuch counter-
feits, ſhall
ſuffer death as
a felon.

XVIII. And be it further enacted, That the ſame allowance ſhall be made on preſent payment of the ſeveral duties granted by this act, only in ſuch manner as by any former law relating to ſtamped vellum, parchment, and paper, is directed and allowed.

XIX. And be it further enacted, That ſuch ſtamps as the ſaid commiſſioners are hereby directed and authorized to provide and uſe, ſhall and may be altered and renewed in ſuch manner as any other ſtamps on vellum, parchment, or paper, are, by any former law relating to ſtamped vellum, parchment, or paper, directed to be altered and renewed.

XX. And be it further enacted, That if any perſon ſhall counterfeit or forge, or procure to be counterfeited or forged, any ſtamp or mark directed or allowed to be uſed by this act, for the purpoſe of denoting the duties by this act granted, with an intent to defraud his Maſteſty, his heirs and ſucceſſors, of any of the ſaid duties; or ſhall fraudulently uſe any ſtamp or mark directed or allowed to be uſed by this act, with intent to defraud his Maſteſty, his heirs or ſucceſſors, of any of the ſaid duties; or ſhall utter, vend, ſell, or expoſe to ſale, any vellum, parchment, or paper, liable to the ſaid duties, with any counterfeit mark or impreſſion thereupon, knowing the ſame to be counterfeit; then every ſuch perſon ſo offending, and being thereof lawfully convicted, ſhall be adjudged a felon, and ſhall ſuffer death as in caſes of felony, without benefit of clergy.

XXI. And

XXI. And be it further enacted, That all powers, provisions, articles, clauses, distributions of penalties and forfeitures, and all other matters and things prescribed or appointed by any former act or acts of parliament, relating to the stamp-duties on vellum, parchment, and paper, shall be of full force and effect with relation to the duties hereby imposed, and shall be applied and put in execution, for the raising, levying, collecting, and securing the said new duties hereby imposed, according to the true intent and meaning of this act, as fully and effectually, to all intents and purposes, as if the same had severally and respectively been hereby enacted with relation to the said new duties hereby imposed.

Duties granted by this act to be levied, &c. as those under former stamp-acts.

XXII. And be it further enacted, That all pecuniary penalties hereby imposed shall go and be paid, the one moiety thereof to his Majesty, his heirs and successors, and the other moiety thereof, with full costs of suit, to the person or persons who shall inform and sue for the same, in any of his Majesty's courts at *Westminster*, for offences committed in *England*, *Wales*, or *Berwick upon Tweed*, and in his Majesty's court of session, court of judicatory, or court of exchequer, in *Scotland*, by action of debt, bill, plaint, or information, wherein no essoin, protection, privilege, or wager of law, or more than one imparlance, shall be allowed.

Application of penalties.

XXIII. And be it further enacted, That the several rates and duties herein-before granted, shall be paid, from time to time, into the hands of the receiver-general for the time being of the duties on stamped vellum, parchment, and paper, who shall keep a separate and distinct account of the several duties imposed by this act, and pay such duties (the necessary charges of raising, paying, and accounting for the same, being deducted) into the receipt of the exchequer, for the uses and purposes in this act mentioned, at such time, and in such manner, as any former duties on stamped vellum, parchment, and paper, are directed to be paid.

Duties to be paid to receiver-general of stamp duties.

XXIV. And be it further enacted, That there shall be provided and kept, in the office of the auditor of the said receipt of exchequer, a book or books in which all the monies arising from the said several duties imposed by this act, and paid into the said receipt as aforesaid, shall be entered, separate and apart from all other monies paid and payable to his Majesty, his heirs and successors, upon any account whatsoever.

A separate account thereof to be kept by the auditor of the exchequer.

XXV. And whereas the rates and duties upon inland bills of exchange, promissory notes, or other notes, payable otherwise than upon demand, were, together with certain other duties, made a fund for payment of the annuities established by an act made in the last session of parliament, (intituled, An act for raising a certain sum of money by way of annuities, and for establishing a lottery;) and it is therefore necessary that part of the rates and duties by this act granted shall be applied towards payment of the said annuities, in lieu of the said rates and duties; be it therefore enacted by the authority aforesaid, That, from and after the first day of August, one

Application
of the duties.

thousand seven hundred and eighty-three, the yearly sum of fifty thousand pounds; being the sum which the said rates and duties were intended to raise, shall be reserved and set apart, at the said receipt of the exchequer; and that out of the monies which shall be paid into the receipt of the exchequer, of the duties hereby repealed, and out of the duties granted by this act, a proportional part of the sum of twelve thousand five hundred pounds shall, from the first day of *August*, one thousand seven hundred and eighty-three, to the tenth day of *October*, one thousand seven hundred and eighty-three; and the sum of twelve thousand five hundred pounds, from and after the said tenth day of *October*, one thousand seven hundred and eighty-three, shall be set apart and applied quarterly to the same uses and purposes as the duties hereby repealed were applicable; and that the residue of the produce of the said rates and duties, so paid into the said receipt of exchequer as aforesaid, shall be a fund for the payment of the several and respective annuities, and all such other charges and expences, as are directed to be paid and payable, pursuant to an act of this present session of parliament, (intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery.*)

Persons sued
for executing
this act, may
plead the ge-
neral issue,

XXVI. And be it further enacted, That if any person or persons shall, at any time or times, be sued, molested, or prosecuted, for any thing by him or them done or executed in pursuance of this act, or of any clause, matter, or thing, herein contained, such person and persons shall and may plead the general issue, and give the special matter in evidence, for his or their defence; and if, upon the trial, a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, then such defendant or defendants shall have treble costs awarded to him or them against such plaintiff or plaintiffs.

and shall be
entitled to
treble costs.

C A P. L.

An act for the better regulation of the office of the paymaster general of his Majesty's forces, and the more regular payment of the army; and to repeal an act made in the last session of parliament, intituled, An act for the better regulation of the office of paymaster general of his Majesty's forces.

22 Geo. 3. c. 81.
recited,

WHEREAS by an act, passed in the twenty second year of his Majesty's reign, intituled, *An act for the better regulation of the office of paymaster general of his Majesty's forces, several provisions were made relative to the payment and clearing of the army, which have been found inconvenient; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act be, and the same is hereby repealed.*

and repealed.

II. *And whereas it appears, by the reports made by the commis-*
sioners

*ſoners appointed to examine, take, and ſtate the publick accounts of the kingdom, that the paymaſters of the forces have heretofore been accuſtomed to accumulate large ſums of publick money in their hands beyond what was neceſſary for carrying on the ſervices in their department, and to take and carry out of office with them, upon their reſignation or removal, large balances of publick money, which they have retained and kept in their hands many years after being out of office: and whereas it is highly expedient that a remedy ſhould be provided for ſome inconveniencies: be it therefore enacted by the authority aforeſaid, That, from and after the paſſing of this act, the paymaſter general of his Majeſty's forces for the time being, in all memorials to be by him preſented to the treaſury, for money for army ſervices, ſhall pray, that ſuch ſum as he requires may be iſſued to the governor and company of the bank of England on his account, ſpecifying in every ſuch memorial the ſum he requires, and for what particular ſervice or ſervices, and the commiſſioners of his Majeſty's treaſury for the time being, by their letter from time to time, ſhall direct the auditor of the exchequer to iſſue to the governor and company of the bank of England, on account of the paymaſter general of his Majeſty's forces, naming ſuch paymaſter general for the time being, the ſum for which ſuch letter ſhall be drawn upon the unſatisfied order at the exchequer, in favour of the ſaid paymaſter general, for which, the receipt of the caſhier or caſhiers of the ſaid governor and company ſhall be a ſufficient diſcharge; and all ſums for which ſuch letters of the commiſſioners of his Majeſty's treaſury ſhall be drawn, ſhall be iſſued to the governor and company of the bank of England, in like manner as they have been heretofore iſſued to the paymaſter general of his Majeſty's forces; and all ſuch monies ſo to be iſſued to the governor and company of the bank of England ſhall be placed to an account to be raiſed in the books of the governor and company of the ſaid bank of England, and to be intituled, *The Account of the Paymaſter General of his Majeſty's forces*, inſerting the name of ſuch paymaſter general for the time being.*

Directions to the paymaſter relative to his memorials to the treaſury for money for army ſervices, &c.]

Such monies to be iſſued to the bank, and placed to the account of the paymaſter general.

III. And be it enacted, That no fees whatſoever ſhall be paid at the exchequer or treaſury for or by reaſon of the tranſactions aforeſaid, beyond the amount of what hath been uſually paid upon impreſts and accounts hitherto made, according to the former cuſtom of tranſacting buſineſs between the exchequer, pay-office, and bank ſeverally.

Only cuſtomary fees to be paid at the exchequer or treaſury.

IV. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, no money for the ſervice of the army ſhall be iſſued from his Majeſty's exchequer to the paymaſter general of his Majeſty's forces, or ſhall be placed, or directed to be placed, in his hands or poſſeſſion; but the ſame ſhall be iſſued, and directed to be paid, to the governor and company of the bank of England, and to be placed to the account above mentioned.

Money for army ſervices iſſued from the exchequer, to be paid into the bank.

V. And be it further enacted by the authority aforeſaid, That the paymaſter general of his Majeſty's forces for the time being,

Paymaſter, or his deputy, to draw on the

bank for all
army ſervice.

by himſelf, or his deputy, or the perſon or perſons in his office duly authorized by the ſaid paymaſter general, from and after the paſſing of this act, ſhall draw upon the governor and company of the bank of *England*, for all army ſervices whatever, and ſhall ſpecify in each and every draft the particular ſervice for which the ſame is drawn: and no draft of the ſaid paymaſter, or his deputy, or the perſon or perſons authorized as aforeſaid, ſhall be deemed a ſufficient voucher to the ſaid governor and company of the bank of *England*, unleſs the ſame ſpecifies the ſervice for which it is drawn, and has been actually paid by the ſaid governor and company of the bank of *England*.

Bank not to
pay ſaid mo-
ney, unleſs
for army ſer-
vices, and in
pursuance of
proper drafts

VI. And be it further enacted by the authority aforeſaid, That the monies ſo to be iſſued to the governor and company of the bank of *England*, on account of the paymaſter general of his Maſteſty's forces, ſhall not be paid out of the bank, unleſs for the army ſervices, and in purſuance of drafts, or cheque paper, to be drawn on the governor and company of the bank of *England*, and ſigned by the paymaſter general of his Maſteſty's forces for the time being, or his deputy, or the perſon or perſons authorized as aforeſaid; in which drafts ſhall be ſpecified the heads of ſervice to which the ſums therein mentioned are to be applied; and which drafts, ſo drawn, ſhall be ſufficient authority to the bank to pay ſuch money to the perſons mentioned in ſuch drafts, or to the bearer of them.

VII. And, that the commiſſioners of his Maſteſty's treasury may have a frequent knowledge of the balance of caſh in the hands of the governor and company of the bank of *England*, on account of the paymaſter general of his Maſteſty's forces, in order to enable them to judge of the propriety and neceſſity of further iſſues, and to prevent the unneceſſary accumulation of publick money in the hands of the governor and company of the bank of *England*; be it enacted by the authority aforeſaid, That, from and after the paſſing of this act, in the firſt memorial preſented every month, or oftener if required, to the commiſſioners of his Maſteſty's treasury, by the paymaſter general of his Maſteſty's forces for the time being, for a ſupply of money for the army ſervices, ſuch paymaſter ſhall inſert, in the body of ſuch memorial, the ſum total of the balance of publick money, on his account, in the hands of the governor and company of the bank of *England*, together with an account of all the claims, outſtanding drafts, and other demands, with which ſuch balance is chargeable, and is to be applied.

Paymaſter, in
his firſt me-
morial to the
treafury every
month, ſhall
in it the ba-
lance of pub-
lick money
in the bank,
on his ac-
count, &c.

VIII. And be it further enacted by the authority aforeſaid, That upon the death, reſignation, or removal, of the preſent, and of every other paymaſter of his Maſteſty's forces hereafter to be appointed, the balance of caſh for which he ſhall at that time have credit, on his account as paymaſter general, with the governor and company of the bank of *England*, ſhall, as ſoon as a ſucceſſor ſhall be appointed to the ſaid office, actually veſt in ſuch ſucceſſor, in truſt for the ſervice of the army, and be forthwith tranſferred, carried over, and placed to the account

On the death
or removal of
a paymaſter,
the balance
in the bank
to veſt in his
ſucceſſor.

of ſuch ſucceſſor paymaſter general of his Maſteſty's forces, to be applied to the ſaid ſervice, in purſuance of the like drafts as aforeſaid. And the paymaſter general of his Maſteſty's forces for the time being ſhall, and he is hereby directed and required, to form his memorialſ and requiſitionſ to the treaſury, and to iſſue his drafts as aforeſaid, for all charges and demands, on account of the army ſerviceſ, which are due and remain unſatisfied from the tenth day of *April*, one thouſand ſeven hundred and eighty-two, although the ſame have accrued in the time of a former paymaſter general; and alſo within twelve months after the accountſ, enabling the ſaid paymaſter general to complete the herein-after mentioned accountſ, ſhall be received, to make up, or cauſe to be made up, an annual account of the ordinary and extraordinary ſerviceſ of The army, intituled, *The Account of the Paymaſter General of his Maſteſty's Forces*, to be ſigned and atteſted by every paymaſter general, who ſhall have paid or diſcharged any part of the ſaid account; the firſt account to commence on the tenth day of *April*, one thouſand ſeven hundred and eighty-two, and to end the twenty-fourth day of *December* following; and every ſucceeding account to begin on the twenty-fifth day of *December*, and to end on the twenty-fourth day of *December* following, in the laſt and every ſucceeding year, and to tranſmit the ſame, together with proper voucherſ, to the auditor or auditorſ of the impreſt, who ſhall, and they are hereby directed and required, within ſix months after the receipt thereof, to examine, or cauſe to be examined, the ſaid annual accountſ, and, if found ſatiſſactory, to preſent, or cauſe to be preſented, the ſame to the proper officer or officerſ, for declaration; and when the ſame is declared, a *quietus* or acquittance, in the uſual form, ſhall be made out to the ſaid paymaſter or paymaſterſ general, hiſ or their heirſ, executorſ, and adminiſtratorſ.

Paymaſter to iſſue his drafts for all charges on account of army ſerviceſ, from April 10, 1782;

and, after a time ſpecified, to make up annual accountſ of the ordinary and extraordinary ſerviceſ of the army, to be tranſmitted to the auditor of the impreſt.

IX. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, the paymaſter general of hiſ Maſteſty's forces for the time being ſhall keep the account with the bank of all monieſ iſſued to or directed to be paid to him for the ſervice of the army: and the ſaid paymaſter general, obſerving the ruleſ and regulationſ hereby preſcribed, ſhall not be anſwerable for any money which he ſhall not actually receive; and the governor and company of the bank of *England* ſhall be anſwerable for all the monieſ which ſhall be actually received by them for the ſervice of the army.

Paymaſter to keep an account with the bank, &c.

X. And be it further enacted by the authority aforeſaid, That if any perſon or perſonſ ſhall, from and after the paſſing of this act, knowingly and wilfully forge or counterfeit, or cauſe or procure to be forged or counterfeited, or knowingly and wilfully ſet or aſſiſt in the forging or counterfeiting, the name or hand of the paymaſter general of hiſ Maſteſty's forces for the time being, or of hiſ deputy, to any draitt, cheque paper, inſtrument, or writing whatſoever, for or in order to the receiving or obtaining any of the money in the handſ or cuſtody of the

Any perſon who ſhall forge the name of the paymaſter, &c. to obtain money from the bank, ſhall ſuffer death as a felon.

the governor and company of the bank of *England*, on account of the paymaſter general of his Maſteſty's forces; or ſhall forge or counterfeit, or cauſe or procure to be forged or counterfeit-ed, or knowingly and wilfully act or aſſiſt in the forging or counterfeitiſg, any draſt, cheque paper, inſtrument, or writing, in form of a draſt made by ſuch paymaſter general of his Maſteſty's forces, or his deputy; or ſhall utter or publiſh any ſuch, knowing the ſame to be forged or counterfeitd, with an intention to defraud any perſon whatſoever; every ſuch perſon and perſons ſo offending (being thereof lawfully convicted) ſhall be, and is and are hereby declared and adjudged to be, guilty of felony, and ſhall ſuffer death, as in caſes of felony, without benefit of clergy.

Books of account in the paymaſter's office, ſhall be held to belong to the ſame.

XI. And be it enacted, That all books of accounts whatſoever kept in the office of paymaſter general, ſhall be held to belong to the ſaid office, and ſhall not be at the diſpoſal of the paymaſter general, to take and diſpoſe of the ſame as his private and proper books of account: provided that nothing herein ſhall extend to prevent any perſon or perſons who hath or have exerciſed the office of paymaſter general, or his or their executors or adminiſtrators, by himſelf or themſelves, or by any perſon or perſons authorized by him or them, from taking copies or extracts thereof, until an acquittance in the exchequer ſhall be made out for every ſeveral paymaſter, his heirs, executors, and adminiſtrators.

XII. And whereas it appears, from the reports of the commiſſioners for examining, taking, and ſtating, the publick accounts of the kingdom, that the ſalaries, fees, and gratuities, received by ſeveral of the officers, clerks, and ſervants, employed in the office of paymaſter general of his Maſteſty's forces, have, of late years, amounted to ſums beyond a reaſonable and adequate compensation for their reſpective ſervices; be it therefore enacted by the authority aforeſaid, That, from and after the twenty-fifth day of December next, no fee, perquiſite, emolument, or reward whatſoever (other than and except the ſalaries and allowances herein-after mentioned) ſhall be taken in the ſaid office for any buſineſs, matter, or thing, to be done therein; and in lieu thereof, the officers, clerks, and ſervants, in the ſaid office, ſhall receive annual ſalaries, payable quarterly, without deduction, together with ſuch further augmentations (the ſaid augmentations to be made no oftener than once in the year) as the increaſe of buſineſs in the ſaid office from time to time ſhall require; the ſaid ſalaries and augmentations to be regulated by the paymaſter general, by and with the concurrence of the lords commiſſioners of the treasury, and his Maſteſty's approbation had thereon, and not otherwiſe; and a liſt of the ſaid officers, clerks, and ſervants, together with an account of the ſalaries paid, and augmentations made to them from time to time, ſhall be entered in a book, intitled, *The Salary Book*, and depoſited in the office of the ſaid paymaſter general, and copies thereof lodged in the treasury and bank of *England*; and if any perſon belonging to

From Dec. 25, 1783, no fees to be taken in the paymaſter's office for buſineſs done therein;

or who shall hereafter belong to, the said office, shall take, or on penalty of dismissal, and being incapacitated for three years. accept any fee, perquisite, emolument, or reward, (other than and except the salaries and allowances above-mentioned) he shall be dismissed from his office or employment, and be rendered incapable of serving his Majesty in any employment whatever for the space of three years.

XIII. And be it enacted by the authority aforesaid, That Fees paid, and all fees paid at the office of the paymaster general, since the day of October, one thousand seven hundred and eighty-two, and which shall be paid at the said office on or before the twenty-fifth day of December, one thousand seven hundred and eighty-three, shall be deposited in the hands of the cashier of the said office, or others authorized by the said paymaster general, in order to form a fund, from which a reasonable augmentation to the salaries and appointments of the several officers, clerks, and servants, shall be made, for their services during the aforesaid period; the said augmentation to be regulated by the said paymaster general, by and with the concurrence of the commissioners of the treasury, and his Majesty's approbation obtained thereon, and not otherwise; and the remainder shall be paid to the treasurer or vice treasurer of *Chelsea hospital*, to be applied to the fund for an augmentation to the half-pay of officers, and others provided for by this act.

XIV. And whereas the agents of the several regiments, troops, and companies, of his Majesty's army, have been accustomed to stop two days pay out of the arrears or clearings due to every commissioned officer, avowedly for the purpose of discharging fees of office; and whereas such stoppage not seeming to be warranted either from under the King's sign manual, or from any other authority whatsoever; be it enacted by the authority aforesaid, That, from and after the twenty-fifth day of December, one thousand seven hundred and eighty-three, no such stoppage as aforesaid shall be made; and if any agent shall, after the said twenty-fifth day of December, one thousand seven hundred and eighty-three, presume to stop the said two days pay as heretofore, or any part thereof, such agent so offending shall be dismissed from his agency, and be rendered incapable of serving his Majesty in that capacity for the space of three years.

XV. And whereas a considerable annual sum of money is or may be saved from the allowance for clothing of certain invalid and independent companies, a large part of which saving is or may be rendered permanent; be it hereby enacted, That all sums saved from the said allowance, or brought in account in consequence of any savings to be made in the administration of *Chelsea hospital*, shall be paid to the treasurer or vice treasurer of the said hospital, towards a fund for an augmentation to the half-pay of officers who have been or shall be maimed or grievously wounded in his Majesty's land service, or as an augmentation to the pensions of widows, or as pensions to the children of such officers as have been killed in the said land service, as his Majesty shall direct and appoint; provided that no addition to half-pay, in consequence

From Dec. 25, 1783, agents not to make any stoppages for discharging fees of office.

Savings in the clothing of invalid companies, &c. how to be applied.

conſequence of maims or wounds, or penſions to widows whoſe huſbands have, or ſhall have been killed in his Maſteſty's ſervice, ſhall exceed twenty-five pounds a year; nor ſhall the allowance to a ſingle child of an officer killed exceed twenty pounds a year, nor be continued longer (if a male) than to twenty-five years of age, or until he be provided for in his Maſteſty's ſervice; or, if more children are left, the ſhare of each child ſhall not exceed twelve pounds a year, to be continued to the males as aforeſaid, and no otherwiſe.

Not to deprive the paymaſter of the uſual allowances for himſelf, and for contingencies.

XVI. Provided always, and be it enacted by the authority aforeſaid, That nothing in this act contained ſhall be conſtrued to deprive the paymaſter general of the uſual allowances for himſelf, or for contingencies, nor to prevent him from adminiſtering or applying the ſaid contingencies according to the uſual courſe of office.

Not to take away the power of the paymaſter of removing officers employed in his office, &c.

XVII. Provided always, and be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to take away, diminiſh, or alter, the power of the paymaſter general of his Maſteſty's forces to appoint, remove, or change, at his pleaſure, all or any of the officers and clerks employed in his ſaid office; or, with the conſent and approbation of the commiſſioners of the treasury, or any three of them, ſignified in writing, to increaſe the number of ſuch clerks, in caſe the circumſtances of the buſineſs of the ſaid office ſhould render ſuch an increaſe neceſſary; which ſaid additional officers and clerks ſhall, upon their reſpective appointments, become intitled to the like ſalaries as are herein-before directed to be paid to the officers and clerks in a ſimilar rank and ſtation in the ſaid office, and ſhall be ſubject to all the rules, regulations, provisions, pains, and penalties, to which the officers and clerks now exiſting in the ſaid office are made by this act.

All eſtimates, debentures, &c. to be made out annually from Dec. 25.

XVIII. And whereas it appears, by the report made by the commiſſioners appointed to examine, take, and ſtate, the publick accounts of the kingdom, that making the payment of the army more ſimple, expeditious, and intelligible, would be of great publick utility: and whereas it is proper that regulations ſhould be made for that purpoſe; be it enacted, That, from the twenty-fifth day of December, one thouſand ſeven hundred and eighty-three, all eſtimates, debentures, clearing warrants, and all warrants and accounts, of whatſoever nature they may be, belonging to the army, whether for the ſpace of one or more years, (any part or parts of a year, as the ſervice may require, excepted,) ſhall be made out from the twenty-fifth day of December, in every year; any other ſtatute or uſage to the contrary notwithstanding.

Secretary at war to form eſtimates of the ſeveral annual ſervices under diſtinct heads.

XIX. And whereas the dividing the eſtabliſhment under their ſeveral heads of ſervice, would greatly facilitate the aforeſaid purpoſes; be it enacted, That the ſecretary at war ſhall, and he is hereby directed and required to form, or cauſe to be formed, eſtimates for the ſeveral annual ſervices of which the eſtabliſhments of the army conſiſt; that is to ſay, an eſtimate of the charge of the penſions to be paid to the widows of commiſſioned officers; an eſtimate

estimate of the charge of the clothing of the non-commissioned officers and private men of his Majesty's regular forces; an estimate of the charge of agency, charged in the clearing of the several regiments and corps, and of the allowances made to the agent of the subsistence of non-effective men, called *Warrant Men*; an estimate of the charge of the in and out pensioners of *Chelsea hospital*, and of the expences of the said hospital; an estimate of the actual pay of the commissioned officers, and non-commissioned officers, and private men, of his Majesty's forces, on the several establishments; an estimate of the charge of the allowances made to captains, paymasters, surgeons, and for the use of riding masters, rough riders, and expences incident to the same; an estimate of the charge of the allowances to the paymaster general of his Majesty's land forces, the secretary at war, the commissary general of the musters, the judge advocate, their deputies, clerks, and the contingent expences of their respective offices, exchequer fees, and all other services now paid out of the deduction of twelve-pence in the pound, and one day's pay, and not otherwise provided for by this act: and the said secretary at war shall, and he is hereby directed and required to transmit copies of the said estimates, so soon as the same have been agreed to by the house of commons, to the office of the paymaster general of his Majesty's land forces.

Copies where-
of to be trans-
mitted to the
paymaster.

XX. And be it enacted, That, from the twenty-fifth day of *December*, one thousand seven hundred and eighty-three, the paymaster general of his Majesty's land forces shall, and he is hereby directed and required to form his memorials and requisitions to the treasury, and to issue his drafts upon the governor and company of the bank of *England*, upon the twenty-fourth day of *June*, and twenty-fourth day of *December*, in every year, in equal payments, to such person or persons as have a regular assignment from the several colonels, lieutenant colonels commandant, majors and captains commandant, and captains, for the monies appropriated for the clothing of the non-commissioned officers and private men of his Majesty's regular forces.

Paymaster to
form his me-
morials to the
treasury, &c.
for monies ap-
propriated for
clothing, on
June 24, and
Dec. 24, an-
nually.

XXI. Provided always, That nothing in this act shall extend, or be construed to extend, to the making any alteration in the privileges, profits, or emoluments, which the said colonels, lieutenant colonels commandant, majors and captains commandant, and captains, now derive, either from the clothing, or the non-effective men, called *Warrant Men*, or *Hautbois*, of their respective regiments, troops, and companies; but the said colonels, lieutenant colonels commandant, majors and captains commandant, and captains, shall continue to enjoy and receive the same privileges, profits, and emoluments, as they would otherwise enjoy and receive from the nett off-reckonings, and from the non-effective men, called *Warrant Men*, or *Hautbois*, of their respective regiments and corps, had this act not been made.

Not to alter
the privileges,
profits, &c.
of colonels,
lieut. col. &c.
relative to
clothing, or
non-effective
men.

XXII. And, for the better prevention of the issuing from the ex-
chequer any more monies than shall be necessary for the purposes re-
cited

Secretary at war to transmit to the paymaster's office an account of the effective officers and privates, regulars and embodied militia, in Great Britain.

acted in this act; be it enacted, That, from and after the passing of this act, the secretary at war shall, and he is hereby directed and required, from time to time, to transmit to the office of the paymaster general of his Majesty's land forces, an account of the effective commissioned and non-commissioned officers and private men of his Majesty's regular forces, and embodied militia, serving in *Great Britain*, distinguishing each corps severally; and the said paymaster general shall, and he is hereby directed and required, to form his memorials and requisitions, and to issue his drafts, as aforesaid, for the subsistence of the said effective commissioned and non-commissioned officers and private men, according to the said accounts, and for no other service under the said title or description.

Not to extend to assignments, debentures, &c. prior to Dec. 25, 1783.

XXIII. Provided always, and be it enacted, That nothing in this act shall extend, or be construed to extend, to any assignments, debentures, clearing warrants, or other warrants or accounts of the army, for periods prior to the twenty-fifth day of *December*, one thousand seven hundred and eighty-three; but all such assignments, debentures, clearing warrants, or other warrants or accounts, shall be prepared and made up in the same manner as they would have been, had this act not been made.

Paymaster may issue certain allowances to agents monthly.

XXIV. Provided always, and be it enacted, That this act shall not extend, or be construed to extend, to prevent the paymaster general of his Majesty's forces from issuing, to the agents of the respective regiments, troops, and companies, in monthly payments, the allowances given to the agents, in lieu of the subsistence of the non-effective men, called *Warrant Men*, formerly paid to them.

Allowances to colonels of subsistence of non-effective men, to be added to their pay.

XXV. And be it enacted by the authority aforesaid, That the allowances heretofore made to the colonel or commandant, known by the name of *allowances to the colonel of the subsistence of non-effective men, called Warrant Men and Haurbois*, shall be added to the pay of the said colonels and commandants; and the paymaster general of his Majesty's forces shall, and he is hereby directed and required to issue the same, in monthly payments, at the time the subsistence of the army is issued.

Secretary at war to form an estimate of monies necessary for recruiting each regiment, &c. and to transmit it to the paymaster's office.

XXVI. *And whereas the method of setting apart the subsistence of the non-effective men, as a fund for the recruiting and other contingent services, tends to obscurity and confusion in accounts*; be it enacted, That, from and after the passing of this act, the secretary at war shall, and he is hereby directed and required to form, or cause to be formed, from time to time, an estimate of the monies which may be necessary for recruiting each regiment, troop, or company, of his Majesty's forces, and to transmit the said estimate to the office of the paymaster general of his Majesty's land forces; who shall, and he is hereby directed and required to form his memorials and requisitions, and to issue his drafts, as aforesaid, for the same, at the times, and in the proportions; which the said secretary at war shall direct; and to charge the same to the account of each regiment, troop,

troop, and company, for whole uſe the ſaid monies have been iſſued.

XXVII. *And whereas it is neceſſary that accounts of the recruiting ſervice ſhould be regularly tranſmitted;* be it enacted, That every officer employed in the recruiting any regiment, troop, of company, of his Maſteſty's forces, ſhall, and he is hereby directed and required, every two months, to make up and to tranſmit, examined and certified by his commanding officer, if reſident in *Great Britain*, (who in this caſe ſhall, and he is hereby directed and required to certify the ſame,) to the adjutant general of his Maſteſty's forces, an abſtract of the numbers recruited during the two preceding months, and alſo to tranſmit a copy of the ſaid abſtract, together with a regular and exact account of the expences which have attended the ſaid ſervice during the two preceding months, to the agent of the corps for which ſuch officer is recruiting reſpectively; and on failure herein, the officer, through whoſe neglect ſuch abſtract and account, or a copy thereof, ſhall not have been tranſmitted to the adjutant general, or to the agent of the corps reſpectively, ſhall be liable to be tried for ſuch neglect by a general court-martial, and, if convicted, ſhall be caſhiered, or ſhall ſuffer ſuch other puniſhment as by ſuch court-martial ſhall be awarded; and the commanding officer of the regiment, troop, or company, in which ſuch neglect ſhall be committed, ſhall, and he is hereby directed and required to make a report thereof to his colonel, if in *Great Britain*, who ſhall report the ſame to the commander in chief, or to the ſecretary at war, in order that the officer ſo neglecting may be brought to trial for the ſame.

Recruiting officers, every two months, to tranſmit an abſtract of the numbers recruited, &c. to the adjutant general, and to the agent.

Penalty on neglect.

XXVIII. *And whereas his Maſteſty has been graciously pleaſed to direct a part of the poundage deducted from his forces to be returned;* be it enacted, That, from the twenty-fifth day of *December*, one thouſand ſeven hundred and eighty-three, the ſecretary at war ſhall, and he is hereby directed and required to form, or cauſe to be formed, on the twenty-fourth day of *June*, and twenty-fourth day of *December*, in every year, an account for the preceding ſix months, of the monies neceſſary to be iſſued for defraying the expence of repaying ſuch parts of the poundage deducted from the pay of the forces as are now returned to the effective men of his Maſteſty's foot forces, or which his Maſteſty ſhall, by warrant under his royal ſign manual, hereafter direct to be repaid; and to tranſmit the ſame to the office of the paymaſter general of his Maſteſty's land forces, who ſhall, and is hereby directed and required, within fourteen days from the receipt thereof, to form his memorials and requiſitions, and to iſſue his drafts, as aforeſaid, for the ſame, upon the ſaid twenty-fourth day of *June*, and twenty-fourth day of *December*, and to charge them to the account of each corps, as aforeſaid.

Directions to the ſecretary at war relative to repaying poundage deducted.

XXIX. *And whereas it is expedient to keep the ſervices which are now provided for out of the ſubſiſtence iſſued for the non-effective men, or the contingencies, more diſtinct;* be it enacted, That the ſecretary at war ſhall, and he is hereby directed and required to form, mentioned;

Secretary at war to form the ſeveral eſtimates herein mentioned;

form, or cause to be formed, from time to time, an estimate of the monies necessary to be issued on account of the extra price of bread, when his Majesty's troops are in barracks; also an estimate, from time to time, of the monies necessary to be issued for defraying the expences of marches; also on or before the first day of *November* in every year, an estimate of the monies necessary to be issued for his Majesty's horse and dragoon forces, usually called *Grass Money*; and also, on the twenty-fourth day of *June*, and twenty-fourth day of *December*, in every year, an estimate of the monies necessary to be issued for the expences of deserters, subsistence of discharged men, fees of offices, hospital expences, carriage and expences of new arms, travelling expences of officers and horses before they join the regiment; together with all lesser contingencies, now usually paid, or which his Majesty shall, by any future regulations, under his royal sign manual, direct to be allowed to and for the use of each regiment, troop, and company, of his forces; and to transmit the same to the office of paymaster general of his Majesty's land forces, who shall, and he is hereby directed and required to form his memorials and requisitions, and to issue his drafts as aforesaid, for the several monies contained in the said estimates, at such times, and in such proportions, as the secretary at war shall direct, or are otherwise provided for by this act, and to charge the same to the account of each corps, as aforesaid.

and to transmit them to the pay-office.

Certain annual allowances to be made to captains of foot, &c.

*XXX. And whereas it has been the practice to apply part of the non-effective subsistence to the use of captains of troops and companies of his Majesty's regular land forces: and whereas the said allowance is substantially equitable; but it will be more convenient to make a specifick allowance in lieu thereof; be it enacted, That, from the twenty-fifth day of December, one thousand seven hundred and eighty-three, an annual allowance shall be made to each of the captains of companies of foot, during their continuance in service, according to the establishment of their respective companies; that is to say, when the companies are at the establishment of seventy-six men or upwards, the aforesaid annual allowance shall be fifty-six pounds ten shillings; when the companies are reduced in their establishment under seventy-six, and are above fifty men, the aforesaid annual allowance shall be forty-seven pounds seven shillings and sixpence; and when the companies are reduced in their establishment to fifty men or under, the aforesaid allowance shall be thirty-eight pounds five shillings; and also the annual allowance of thirty pounds now made to the captains of troops of horse and dragoons, shall continue to be made; for which said allowances the paymaster general of his Majesty's land forces shall, and he is hereby directed and required to form his memorials and requisitions, and to issue his drafts as aforesaid, on the twenty-fourth day of *June*, and twenty-fourth day of *December*, in every year, in equal payments, and to charge the same to the account of the several regiments, troops, and companies, to which the said captains belong.*

XXXI. And

XXXI. *And whereas the captains of the regiment and independant companies of invalids, have been accustomed to receive the subsistence of certain non-effective men called Contingent Men, as an indemnification for the repairs of arms, burials, and losses by men dying in their debt, and have also been allowed the pay of the non-effective men in their said several companies: and whereas the regiment and independant companies of invalids have been considered as an honourable retirement for officers of long service, and it is proper to make a suitable and more equal provision for that branch of the service; be it enacted, That, from the twenty-fifth day of December, one thousand seven hundred and eighty-three, an annual allowance of one hundred pounds shall be made to each of the captains of the regiment and independant companies of invalids, when the establishment of their respective companies shall amount to seventy private men, or upwards; and an annual allowance of eighty pounds when the establishment is under the said number of private men; for which said allowances the paymaster general of his Majesty's land forces shall, and he is hereby directed and required to form his memorials and requisitions, and to issue his drafts as aforesaid, on the twenty-fourth day of June, and twenty-fourth day of December, in every year, in equal payments, and to charge the same to the account of the regiment and independant companies of invalids.*

XXXII. *And whereas his Majesty has been pleased to cause repayment to be made to the non-commissioned officers and private men of his foot forces, of the stoppages made for the use of the paymasters and surgeons: and whereas it is proper to make provision for the paymasters and surgeons in lieu thereof; be it enacted, That, from the twenty-fifth day of December, one thousand seven hundred and eighty-three, an annual allowance of one hundred and twenty pounds shall be made to each of the said paymasters and surgeons, when the establishment of their companies is fifty private men, or upwards; and an annual allowance of seventy pounds, after the companies shall be reduced in their establishment below the said number of private men: for which said allowances, the paymaster general of his Majesty's forces shall, and he is hereby directed and required to form his memorials and requisitions, and to issue his drafts as aforesaid, upon the twenty-fourth day of June, and twenty-fourth day of December, in every year, in equal payments; and to charge the same to the account of each corps, as aforesaid.*

XXXIII. *And whereas it has been usual for the allowances made to the paymasters, surgeons, riding masters, and rough riders, of his Majesty's horse and dragoon forces, to be paid to them out of the monies issued under the name of Grass Money, and it is proper to make a distinct provision in lieu thereof; be it enacted, That, from the twenty-fifth day of December, one thousand seven hundred and eighty-three, an annual allowance, at and after the rate of ten pounds for every troop of and in each regiment of his Majesty's horse and dragoon forces, shall be made to each of the said paymasters, when the establishment of the troop amounts to forty private men, as aforesaid.*

private men, or upwards; and an annual allowance at and after the rate of seven pounds fifteen shillings, for every troop, shall be made to each of the said paymasters, after they shall be reduced in their establishment below the said number of private men; and also an annual allowance, at and after the rate of eight pounds for every troop of and in each regiment of his Majesty's horse and dragoon forces, shall be made to each of the said surgeons, when the establishment of the troop amounts to forty private men; and an annual allowance, at and after the rate of six pounds four shillings, for every troop, shall be made to each of the said surgeons, after they shall be reduced in their establishment below the said number of private men; and also an annual allowance, at and after the rate of twenty-three pounds six shillings, for every troop of and in each regiment of his Majesty's horse and dragoon forces, shall be made to the colonel, lieutenant colonel, and major commandant, of every corps, for the use of the said riding masters, rough riders, or for incidental expences relating to the same, when the establishment of the troop amounts to forty private men; and an annual allowance, at and after the rate of eighteen pounds one shilling, for every troop, shall be made to the said colonels, lieutenant colonels, and majors commandant, for the aforesaid purposes; after they shall be reduced in their establishment below the said number of private men: for which said allowances, the paymaster general of his Majesty's land forces shall, and he is hereby directed and required to form his memorials and requisitions, and to issue his drafts as aforesaid, on the twenty-fourth day of *June*, and twenty-fourth day of *December*, in every year, in equal payments; and to charge the same to the account of each corps, as aforesaid.

Paymaster of every regiment, &c. to transmit to the agent, every two months, an account of subsistence actually paid therein.

And twice in every year to transmit to the said agent the several accounts herein specified.

XXXIV. And be it enacted, That every paymaster of a regiment, troop, or company, of his Majesty's regular forces, or embodied militia, shall, and he is hereby directed and required to make out, and transmit to the agent of such regiment, troop, or company, an account, every two months, of the exact subsistence actually paid to effective officers and men, and of the broken periods arising from deaths, desertions, or discharges, of men, in the course of the said two months: and on the twenty-fourth day of *June*, and twenty-fourth day of *December*, in every year, the said paymaster shall, and he is hereby directed and required to make up, and, within three months from each of the above periods, to transmit to the said agent, the following accounts; that is to say, an account of all the expences which have attended the recruiting service of his Majesty's regular forces, for the preceding six months, distinguishing the subsistence of recruits, levy money, and every other article of expence, under their several heads; an account of the poundage paid to the effective men, in the preceding six months; an account of the allowances made for the extra price of bread, to such of the troops who have been in barracks, the preceding six months; an account of the expences which have attended

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on forfeiture
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at war, and a copy thereof to the office of the paymaſter general of his majeſty's land forces; and on failure herein, or in any other of the regulations preſcribed to the ſaid agents by this act, the ſaid agent or agents ſo offending ſhall forfeit the ſum of one hundred pounds for every offence, to be recovered by any perſon or perſons who ſhall ſue for the ſame; and the ſecretary at war ſhall, and he is hereby directed and required to examine and ſettle, or cauſe to be examined and ſettled, the aforeſaid annual accounts, and to tranſmit the ſame, together with certificates of the ſeveral charges allowed in the ſaid accounts, and the balances of the ſame, within three months after the receipt of the ſaid accounts reſpectively, to the office of the paymaſter general of his Majeſty's land forces.

Not to diſ-
charge agents
from making
up ſuch other
accounts as the
ſecretary at
war may re-
quire.

Directions re-
lative to muſ-
tering the
forces.

XXXVI. Provided always, That this act ſhall not extend, or be conſtrued to extend, to diſcharge any agent or agents from making up, in the courſe of the year, ſuch account or accounts as the ſecretary at war may have occaſion for or require; and any agent or agents, reſuſing obedience to ſuch requiſition or requiſitions, ſhall be liable to the penalty aforeſaid.

XXXVII. *And whereas the common practice of muſtering the forces, is not of preſent uſe,* be it enacted, That his Majeſty's forces ſhall be muſtered on, or as near as may be to, the twenty-fourth day of *June*, and twenty-fourth day of *December*, in every year; at which time the commiſſaries ſhall, and they are hereby directed and required to take exact liſts of all the commiſſioned and non-commiſſioned officers, and private men, then actually exiſting in the ſeveral regiments, troops, and companies; and alſo liſts of ſuch commiſſioned and non-commiſſioned officers, and private men, who have been in the ſeveral regiments, troops, and companies, for any part or parts of the preceding half year, ſpecifying the periods at which ſuch officers, and private men, came into the ſeveral corps, and when they died, or where removed; and alſo the dates and atteſtations of all recruits, acquired in the preceding half year: and the commiſſary general of muſters ſhall, and he is hereby directed and required to tranſmit the ſame to the offices of the ſecretary at war, and paymaſter general of his Majeſty's land forces, and comptrollers of the accounts of the army, on or before the twenty-ninth day of *September*, and firſt day of *May*; following the ſaid muſters reſpectively.

Directions for
making out
army debentures
and
clearing war-
rants.

XXXVIII. *And whereas the preſent method of making out the army debentures and clearing warrants is inconvenient;* be it enacted, That, from and after the twenty-fifth day of *December*, one thouſand ſeven hundred and eighty-three, the ſecretary at war ſhall, and he is hereby directed and required to prepare and ſend, together with the annual accounts of the agents, and certificates aforeſaid, warrants to the office of the paymaſter general of his Majeſty's land forces, authorizing and directing the ſaid paymaſter general to make out debentures, wherein the ſums borne on the ſeveral eſtabliſhments, and the monies diſburſed on account thereof, ſhall be ſpecified, and the balance certified, which

which is due to or from each regiment, troop, and company, of his Majesty's regular forces, and embodied militia; which said debenture the paymaster general shall, and he is hereby directed and required to transmit to the office of the said secretary at war, within three months from the receipt thereof; and the secretary at war shall, and he is hereby directed and required, immediately on receipt of the said debentures, to make out, or cause to be made out, clearing warrants, directing and authorising the said paymaster general to form memorials and requisitions, and to issue his drafts as aforesaid, for the balance or net monies due to each regiment, troop, and company, of his Majesty's regular forces, and embodied militia, for clearings, and to charge the same to the account of the said regiment, troop, and company; and the said clearing warrants shall authorize and direct the paymaster general to make the excess which shall arise upon the several establishments, after deducting there from the monies so disbursed and paid as aforesaid, a saving, and to carry it to the credit of the publick; and to charge every deficiency, which shall arise from the several establishments not being sufficient to discharge the disbursements paid on account as aforesaid, to the general account of contingencies, or to such other fund as may be applicable thereto.

XXXIX. And be it enacted, That this act shall not extend, or be construed to extend, to the making any alteration in the present mode or regulation of the two troops of horse guards, or the two troops of horse grenadier guards, the royal regiment of horse guards, and the three regiments of foot guards; but the same shall continue in the practice of the same mode and regulations as they would otherwise have done had this act not been made.

This act not to extend to the horse guards, or foot guards.

C A P. LI.

An act to repeal an act, made in the fifth year of the reign of Queen Elizabeth, intituled, An act for further punishment of vagabonds calling themselves Egyptians.

Act 5 Eliz. c. 20. recited, and repealed.

C A P. LII.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters, within the realm of Great Britain.

Number of forces 17,483, including 2,030 invalids. — This act to continue in the realm of Great Britain, from June 24, 1783; till March 25, 1784.

C A P. LIII.

An act to enable the commissioners of supply of the several counties therein mentioned, in that part of Great Britain called Scotland, to assess and levy certain sums for relieving such of the inhabitants

of the said counties as have been reduced to indigence by the failure of the last year's crop of corn; and to enable his Majesty, during the next recess of parliament, by and with the advice of his privy council, to permit the importation of corn into the said counties for a limited time, and in ships or vessels belonging to any state in amity with his Majesty, navigated by foreign seamen.

Preamble.

Commissioners of supply for certain counties in Scotland may assess the landholders to raise a sum of money;

to be applied in relieving inhabitants reduced to indigence by the failure of last year's crop.

His Majesty empowered, during the recess of parliament, to issue his proclamation for allowing the importation of corn, for four

WHEREAS, it is highly necessary to make some provision for the relief of such of the inhabitants of the several counties of Perth, Kincardine, Aberdeen, Inverness, Ross, Nairne, Cromartie, Argyle, Forfar, Banff, Sutherland, Caithness, Elgin, Dunbarton, Orkney, and Zetland, as are or shall be reduced to distress by the failure of the last year's crop of corn, and the consequent scarcity and high price of corn occasioned thereby: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the commissioners of supply for the said several and respective counties of Perth, Kincardine, Aberdeen, Inverness, Ross, Nairne, Cromartie, Argyle, Forfar, Banff, Sutherland, Caithness, Elgin, Dunbarton, Orkney, and Zetland, may, and they are hereby authorized (if the circumstances of the said counties shall require and admit thereof) to assess and levy upon all and every the heritors and landholders within their respective shires, a sum of money not exceeding fourteen pounds Scots on every one hundred pounds Scots of valued rent of the said counties respectively; such sum to be raised and levied in the same manner, and with and under the same powers and authorities, as are directed by an act made in this present session of parliament, intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty-three*, with respect to the cels thereby directed to be raised and levied.

II. And be it further enacted, That the commissioners of supply acting within and for the several shires aforesaid respectively, shall, and they are hereby authorized and required to apply the monies arising by virtue of the assessment authorized to be made by this act, in relieving such of the inhabitants of the said respective shires as have been reduced to indigence by the failure of the last year's crop, and in such way and manner as the said commissioners in their judgement and discretion shall think fit.

III. And whereas it may be expedient, during the next recess of parliament, to permit the free importation of corn into the said several and respective counties of Perth, Kincardine, Aberdeen, Inverness, Ross, Nairne, Cromartie, Argyle, Forfar, Banff, Sutherland, Caithness, Elgin, Dunbarton, Orkney, and Zetland, be it further enacted, That it shall and may be lawful to and for his Majesty, by his royal proclamation, to be issued by and with the advice of his privy council, to permit the importation of

corn

corn for the fpace of four months, to be computed from the third day of *September*, one thoufand feven hundred and eighty-three, into the faid feveral and refpective counties of *Perth, Kincardine, Aberdeen, Invernefs, Rofs, Nairne, Cromartie, Argyll, Forfar, Banff, Sutherland, Caithnefs, Elgin, Dunbarton, Orkney, and Zeland*; and that all fuch corn, to be imported by virtue of or under fuch proclamation, fhall not be fubject or liable to the payment of any fubfidy, cuftom, duty, or impofition whatfoever; and fuch corn fo imported may be carried coaftways under the fame regulations as corn being the growth of this kingdom; any thing in any former act or acts of parliament to the contrary thereof in any wife notwithstanding.

IV. And it is hereby further enacted by the authority aforefaid, That the faid corn, (*videlicet*) corn, grain, or flour, wheat, or wheat flour, rye, rye flour, barley, oats, peafe, and all forts of corn, grain, and meal, and pulfe, may be imported into the aforefaid places in any fhip or vefel belonging to any ftate in amity with his Majefty, his heirs and fucceffors, navigated by foreign feamen.

What corn
and flour may
be imported.

C A P. LIV.

An act for providing a proper workhoufe, within the parifh of Birmingham, in the county of Warwick, and for better regulating the poor within the faid parifh.

C A P. LV.

An act for building a new goal for the town and county of the town of Kingfton upon Hull; for purchafing an additional burial ground for the ufe of the parifh of the Holy Trinity, in the faid town; for regulating the fares of hackney coachmen, chairmen, and porters, and the prices of carriage of goods; for altering the time of lighting lamps; for afcertaining the breadth of party walls, and for preventing certain nuiſances within the faid town, liberties, and precincts thereof; for amending an act of the fourteenth year of the reign of his prefent Majefty, for making and eftablifhing publick quays or wharfs at Kingfton upon Hull, in refpect to fuch as are or may be built oppofite to certain ſtaiths in the faid act defcribed; and for other purpofes.

C A P. LVI.

An act to allow the drawback of the whole duty of cuſtoms upon the exportation of rice.

WHEREAS by an act made in this prefent feffion of parliament, (intituled, An act for allowing the importation of rice, paddy, Indian corn, Indian meal, and maize, free of duty, for a limited time,) Rice is permitted to be imported into Great Britain, from any place whatfoever, at any time or times before the thirtieth day of September, one thoufand feven hundred and eighty-three, without payment of any fubfidy, cuftom, or duty, on importation whatfoever: now, in order to encourage the trade and commerce of this kingdom, may it please your Majefty that it may be

Preamble.
Recital of
c. 9. of the
prefent feffion.

From Sept. 30, 1783. a drawback of the whole duty of customs shall be allowed on the exportation of rice.

enacted; and be it enacted by the king's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, upon the exportation of any rice which shall be imported into this kingdom after the said thirtieth day of September, one thousand seven hundred and eighty-three, instead and in lieu of all former drawbacks, the exporter shall be allowed a drawback or allowance of all the duties of customs which were paid upon the importation of such rice; which drawback shall be made and allowed in such manner, and under such rules, regulations, penalties, and forfeitures, as any former drawback or allowance payable out of the duties of customs upon the exportation of such rice, was, could, or might be paid and allowed, if this act had not been made.

C A P. LVII,

An act for the sale of prize goods secured in warehouses in this kingdom, for which the duties are not paid, or the goods exported, within a limited time.

Preamble.

WHEREAS great quantities of prize goods, which have been taken during the late hostilities, are now remaining in several warehouses in this kingdom, in which they were secured in pursuance of several acts of parliament made for the relief of the captors of prizes with respect to the bringing and landing certain prize goods in this kingdom: And whereas, now the hostilities are ceased, it is expedient that such warehouses should be cleared of such goods within a reasonable time, to be allowed for that purpose: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That if such goods shall not be either exported, or the full duties paid for the same, on or before the twenty-fifth day of December, one thousand seven hundred and eighty-five, but shall then continue and be still remaining in such warehouses, it shall and may be lawful for the commissioners of his Majesty's customs at London or Edinburgh respectively, or any three or more of them for the time being, to cause such goods so remaining to be publickly sold, by auction or inch of candle, to the best bidder; and the money arising by such sale to be applied, first, in discharge of the duties due and payable for such goods, and the expences of such sale; and the overplus (if any) to be paid to the proprietor of such goods, or other person duly authorised to receive the same.

If warehoused prize goods are not exported, or the duties paid, before Dec. 25, 1785. Commissioners of customs may sell the same.

C A P. LVIII.

An act for granting to his Majesty feveral additional and new duties upon stamped vellum, parchment, and paper; and alfo for repealing certain exemptions from the ftamp duties.

Moſt gracious Sovereign,

WE your Maſteſty's moſt dutiful and loyal ſubjects, the commons of *Great Britain*, in parliament aſſembled, towards raiſing the neceſſary ſupplies which we have freely granted unto your Maſteſty in this ſeſſion of parliament, have reſolved to give and grant unto your Maſteſty the ſeveral additional and new ſtamp-duties herein-after mentioned; and do therefore moſt humbly beſeech your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent Maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the firſt day of *Auguſt*, one thouſand ſeven hundred and eighty-three, there ſhall be levied, collected, and paid, throughout the kingdom of *Great Britain*, unto and for the uſe of his Maſteſty, his heirs and ſucceſſors, the ſeveral ſtamp-duties following; that is to ſay,

For every ſkin or piece of vellum or parchment, or ſheet or

From Aug. 1.
1783. the fol-
lowing ſtamp-
duties to be
paid to his
Maſteſty; vi-
delicet;

For every
ſkin, &c. on
which ſhall be
written or
re-
ny

will or other teſtamentary inſtrument, or for any ſhare or part of a perſonal eſtate, divided by force of the ſtatute of diſtributi-
ons, or the cuſtom of any province or place, the amount where-
of ſhall not exceed the value of twenty pounds, there ſhall be
charged an additional ſtamp-duty of two ſhillings and ſix-
pence; and where the amount ſhall exceed the value of twenty
pounds, and not amount to one hundred pounds, an addi-
tional ſtamp-duty of five ſhillings; and where the amount there-
of ſhall be of the value of one hundred pounds, an additional
ſtamp-duty of twenty ſhillings; and a like additional ſtamp-
duty upon every further ſum of one hundred pounds, ſo left by
any will or other teſtamentary inſtrument, or for any ſhare or
part of a perſonal eſtate, divided by force of the ſtatute of diſ-
tributions, or the cuſtom of any province or place:

legacy, &c.
not exceeding
20 l. an addi-
tional duty
of 2 s. 6 d.
above 20 l. and
leſs than 100 l.
— of 5 s.

100 l. -- of 20 s.
and a like ad-
dition upon
every 100 l.

For every
ſkin, &c. up-
on which ſhall
be written or
printed any
probate of a
will, &c. of
or above the
value of 100 l.
an additional
duty of 20 s.

300 l. value
-- of 40 s.
600 l. value,
-- of 1 l.

For every ſkin or piece of vellum or parchment, or ſheet or
piece of paper, upon which ſhall be ingroſſed, written, or
printed, any probate of a will, or letters of adminiſtration, for
any eſtate of or above the value of one hundred pounds, there
ſhall be charged an additional ſtamp-duty of twenty ſhillings;
and a further additional duty of twenty ſhillings, where the
eſtate is of or above the value of three hundred pounds; and a
further additional duty of twenty ſhillings, where the eſtate is
of or above the value of ſix hundred pounds; and a further ad-
ditional

1,000*l.* value,
-- of 4*l.*

An additional
1*s.* to certain
duties grant-
ed in 17 Geo. 3.
viz. an inden-
ture, lease or
other deed
for which a
stamp-duty of
1*s.* 6*d.* is
granted (ex-
cept bonds
given as secu-
rity for pay-
ment of
money.)

On bonds for
above 100*l.* an
additional
duty of 5*s.*
for 500*l.* and
upwards 10*s.*
Every skin,
&c. contain-
ing an origi-
nal writ, Sub-
pœna, &c.
where the
debt or dam-
age amounts
to 40*s.* an ad-
ditional duty
of 6*d.*

On dispensa-
tions to hold
two ecclesiast-
ical livings,
&c. an addi-
tional duty of
40*s.*

On admissions
into either of
the inns of
court, an ad-
ditional duty
of 40*s.*
and on every
register or
certificate of
the degree of
utter barrister
taken therein,
an additional
4*s.*

On every
grant or let-
ters patent

ditional duty of twenty shillings, where the estate is of or above the value of one thousand pounds:

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, in *Great Britain*, any indenture, lease, or other deed, for which a stamp-duty of one shilling and sixpence is payable, by virtue of an act made in the seventeenth year of the reign of his present Majesty, except bonds given as security for the payment of any sum or sums of money, there shall be charged an additional stamp-duty of one shilling:

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any bond shall be ingrossed, written, or printed, given as security for any sum of money, the amount whereof shall exceed one hundred pounds, there shall be charged an additional stamp-duty of five shillings; and where the amount thereof shall be of the value of five hundred pounds, or upwards, there shall be charged an additional stamp-duty of ten shillings:

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any original writ, (except such original upon which a writ of *Capias* issues) *Subpœna*, bill of *Middlesex*, *Latitat*, writ of *Capias*, *Quo Minus*, writ of *Dedimus Potestatem* to take answers, examine witnesses, or appoint guardians, or any other writ whatsoever, or any other process or mandate that shall issue out or pass the seals of any of the courts at *Westminster*, courts of the great sessions in *Wales*, courts in the counties palatine, or any other court whatsoever holding plea, where the debt or damage doth amount to forty shillings, or above, or the thing in demand is of that value, (writs of covenant for levying fines, writs of entry for suffering common recoveries, and writs of *Habeas Corpus*, always excepted,) there shall be charged an additional stamp-duty of sixpence:

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed written, or printed, any dispensation to hold two ecclesiastical dignities or benefices, or both a dignity and a benefice, or any other dispensation or faculty from the lord archbishop of *Canterbury*, or the master of the faculties for the time being, there shall be charged an additional stamp-duty of forty shillings:

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, any admission into any of the four inns of court, there shall be charged an additional stamp-duty of forty shillings:

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, any register, entry, testimonial, or certificate of the degree of utter barrister, taken in any of the said four inns of court, there shall be charged an additional stamp-duty of four pounds:

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed,

ed, any grant or letters patent under the great seal of *Great Britain*, or the seal of the duchy or county palatine of *Lancaster*, of any honour, dignity, promotion, franchise, liberty, or privilege to any person or persons, body politick or corporate, or exemplification of the same, (commissions of rebellion in process always excepted,) there shall be charged an additional stamp-duty of forty shillings:

under the great seal, or seal of the duchy of Lancaster, of any honour, &c. an additional 40s.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written or printed, any admittance, or instrument for admitting, of any fellow of the college of physicians, or of any attorney, clerk, advocate, proctor, notary, or other officer or officers, in any court whatsoever in *Great Britain*, (not being an annual officer in any corporation or inferior court, whose office is under the value of ten pounds *per annum*, in salary fees, or other perquisites,) there shall be charged an additional stamp-duty of forty shillings:

On every admittance of a fellow of the college of physicians, or of an attorney, proctor, &c. an additional 40s.

For every piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, any note or bill of lading, which shall be signed for any goods or merchandizes to be exported, there shall be charged an additional stamp-duty of four-pence:

On bills of lading for goods to be exported, an additional 4d.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, any certificate or debenture for drawing back any customs or duties, or any part of any customs or duties, for or in respect of the reshipping or exporting of any goods or merchandizes, which shall be exported, or shipped to be exported, from *Great Britain*, for any parts beyond the seas, there shall be charged an additional stamp-duty of eight-pence:

On certificates for drawing back any duties on exportation, an additional 8d.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written, any citation or monition, made in any ecclesiastical court, or any libel or allegation, desposition, answer, sentence, or final decree, or any inventory exhibited in any ecclesiastical court, the courts of admiralty or cinque ports, or whereupon any copies of them respectively shall be ingrossed or written or upon which shall be ingrossed or written any protest, or any other notorial act whatsoever, there shall be charged an additional stamp-duty of one shilling:

On every citation or monition in any ecclesiastical court, &c. an additional 1s.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any conveyance, surrender of grants or offices, release, or other deed whatsoever, which shall be inrolled of record in any of the courts at *Westminster*, or in any other court of record whatsoever, or by any *Custos Rotulorum*, or clerk of the peace, there shall be charged an additional stamp-duty of two shillings and sixpence:

On every conveyance, surrender of grants, &c. inrolled of record in any court of record, &c. an additional 2s. 6d.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any writ of covenant for levying fines, any writ of entry for suffering a common recovery, and any exemplification, of what nature soever, that shall pass the seal of any court whatsoever,

On writs of covenant for levying fines, &c. an additional 5s.

there

On every beneficial warrant, under his Majesty's sign manual, an additional 5s. (except warrants or orders for the

there shall be charged an additional stamp-duty of five shillings:

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any beneficial warrant or order, under the sign manual of his Majesty, his heirs or successors, (except warrants or orders for the service of the navy, army, and ordnance) there shall be charged an additional stamp-duty of five shillings:

service of the navy, army, and ordnance.)

On every transfer of stock in any company, &c. in Great Britain, an additional 2s. 3d.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any transfer of stock in any company, society, or corporation, within Great Britain, there shall be charged an additional stamp-duty of two shillings and three-pence:

On every surrender of, or admittance to, a custom or tenant-right estate, not copyhold, which shall not pass by deed in England or Wales,

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, any copy of any surrender of, and admittance to, any custom-right or tenant-right estate, not being copyhold, which shall pass by surrender and admittance, or by admittance only, and which shall not pass by deed, (except such custom-right or tenant-right estates as shall not exceed the clear yearly value of twenty (shillings) within those parts of Great Britain called England, Wales, and the town of Berwick upon Tweed, there shall be charged an additional stamp-duty of two shillings and six-pence:

an additional 2s. 6d. (except under the yearly value of 20s.)

2s. 6d. (except under the yearly value of 20s.)

On every surrender of, or admittance to, any copyhold estate, except, not of the yearly value of 20s. in England or Wales, &c. an additional 2s. 6d. (except the original surrender to the use of a will and the court

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, any surrender of, or admittance to, any copyhold land or tenement, (except such copyhold lands or tenements as shall not exceed the clear yearly value of twenty shillings,) within those parts of Great Britain, called England, Wales, and the town of Berwick upon Tweed, or any grant or lease by copy of court roll, or any other copy of the court roll of any honour or manor within the said parts of Great Britain, (other than and except the original surrender to the use of a will, and the court roll or books wherein the proceedings of the court are entered or inrolled,) there shall be charged an additional stamp-duty of two shillings and sixpence:

On every bill, answer, replication, or other pleadings, in the courts of chancery exchequer, &c. an additional 6d.

rolls or books.)

For every skin or piece of vellum or parchment, or sheet, or piece of paper, upon which shall be ingrossed or written, any bill, answer, replication, rejoinder, demurrer, interrogatories, depositions taken by commission, or any other pleadings whatsoever, in the courts of chancery, exchequer, duchy court, and county palatine courts, or other courts of equity, there shall be charged an additional stamp-duty of sixpence:

On every admission into any corporation, &c. an additional 2s.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any admission into any corporation or company, or any matriculation in either of the two universities, there shall be charged an additional stamp-duty of two shillings:

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any principal or original instrument of surrender or resignation, service or cognition of heirs, charter or feifine of any houfes, lands, tenements, or hereditaments, holding burgage, or of burgage tenure, in *Scotland*, there shall be charged an additional stamp-duty of one fhilling :

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any principal or original feifine, taken or following upon any mortgage, wadset, heretable bond, alienation, or difpofition, or upon any charter, precept of *Clare Constat*, retours, apprizing, or adjudications of lands or tenements holding of any fubject as aforefaid, in *Scotland*, there shall be charged an additional stamp-duty of one fhilling :

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any principal or original retour of any fervice of heirs, or any precept of *Clare Constat* of lands or tenements holding of any fubject as aforefaid, in *Scotland*, there shall be charged an additional stamp-duty of one fhilling :

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any charter or refignation, confirmation, *Novo Damus*, or charter upon apprizing, or adjudication made or granted by fuch fuperior or others as aforefaid, in *Scotland*, there shall be charged an additional stamp-duty of one fhilling :

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any principal or original instrument of furrender or refignation of any meffuages, houfes, lands, tenements, hereditaments, tithes, mills, fifhings, and other heretable rights, or any of them, to be made to any of his Majefty's fubjects, who are or shall be the fuperiors thereof; or to any city, town, burgh, or corporation; or to any magiftrates or others who have power to receive fuch furrenders or refignations, in *Scotland*, there shall be charged an additional stamp-duty of one fhilling :

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any agreement shall be ingrossed, written, or printed, whether the fame shall be only the evidence of the contract, or obligatory upon the parties from its being a written instrument, there shall be charged a stamp-duty of fix fhillings ;

For every piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any inventory or catalogue of any furniture, goods, or effects, made with reference to any agreement, or for the fecurity of any perfon, (except inventories produceable in the ecclefiaftical courts, and alfo except inventories of goods and chattels diftrained for rent in arrear,) there shall be charged a stamp-duty of two fhillings and fixpence :

For

On every original instrument of furrender or refignation, charter or feifine of houfes, &c. of burgage tenure, in *Scotland*, an additional 1s.
For every original feifine taken upon a mortgage, &c. in *Scotland*, an additional 1s.
For every original retour of any fervice of heirs, &c. in *Scotland*, an additional 1s.
For every charter or refignation, &c. in *Scotland*, an additional 1s.
For every original instrument of furrender of lands, tenements, &c. to the fuperiors thereof, in *Scotland*, an additional 1s.
For every skin containing an agreement, &c. a duty of 6s.
For every inventory of furniture, &c. made with reference to any agreement, &c. a duty of 2s. 6d. (except inventories in ecclefiaftical courts and of goods diftrained for rent.)

For every
award, 5s.

This act not
to affect lega-
cies &c. left
to the wife,
children, or
grandchild-
ren, of the
testator.

This act shall
not extend, to
labels for in-
surances to be
made by the
Royal Ex-
change, or
London As-
surances from
fire;
nor to agree-
ments for
leases at rack
rent of any
messuage un-
der 5l. per
ann. or for
hire of labour-
ers, artificers,
manufactu-
rers, or
menial ser-
vants, or re-
lating to sale
of goods, or
where the
value of the
matter shall
not exceed 20l.
or agreements
in Scotland
that shall be
stamped as
required
there.

21 days allow-
ed for pay-
ment of duty
on agree-
ments.

Duties grant-
ed by this act
to be under
the manage-
ment of com-
missioners for
stamps.

For every piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, any award, there shall be charged a stamp-duty of five shillings.

II. Provided always, and be it enacted, That nothing in this act contained shall extend to charge with the additional duties by this act imposed, any legacy left by any will, or other testamentary instrument, or any share or part of a personal estate to be divided by force of the statute of distributions, or the custom of any province or place, which shall be left to the wife, children, or grandchildren, of the person making such will or testamentary instrument, or shall be divided amongst them by force of the statute of distributions, or the custom of any province or place.

III. Provided also, and be it further enacted by the authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to charge or make liable any label, slip, or memorandum, containing the heads of insurances to be made by the corporations of the *Royal Exchange Assurance*, or *London Assurance*, or the corporations of the *Royal Exchange Assurance of houses and goods from fire*, and *London Assurance of houses and goods from fire*, or any of them, to the payment of the stamp-duties charged by this act upon contracts or agreements.

IV. Provided also, and be it enacted, That nothing in this act contained shall extend, or be construed to extend, to charge with the duty of six shillings, by this act imposed on agreements, any memorandum or agreement for any lease at rack rent of any messuage under the yearly value of five pounds; or to charge any memorandum or agreement for the hire of any labourer, artificer, manufacturer, or menial servant; or to charge any memorandum, letter, or agreement, made for or relating to the sale of any goods, wares, or merchandizes; or to charge any memorandum or agreement where the matter of memorandum or agreement shall not exceed the sum of twenty pounds; or to charge any memorandum or agreement made in that part of *Great Britain* called *Scotland*, that shall be stamped with the duty required on deeds in that part of *Great Britain* called *Scotland*.

V. Provided also, That no memorandum or agreement not stamped shall be deemed to be void, in case the same shall be stamped at the head office, or the said duty shall be paid thereon and a receipt given thereon for the same by the proper officer receiving such duty, within twenty-one days after the same shall have been entered into.

VI. And be it further enacted, That, for the better and more effectual levying, collecting, and paying, all the said additional and new duties herein-before granted, the same shall be under the government, care, and management, of the commissioners for the time being appointed to manage the duties charged on stamped vellum, parchment, and paper; who, or the major part of them, are hereby required and empowered to employ the necessary officers under them for that purpose, and

to

to use and provide such stamps to denote the said several duties as shall be requisite in that behalf, and to do all other things necessary to be done for putting this act in execution with relation to the said several duties herein-before granted, in the like, and in as full and ample manner as they, or the major part of them, are authorized to put in execution any former law concerning stamped vellum, parchment, and paper.

VII. Provided always, and be it further enacted, That, to prevent the multiplication of stamps upon such pieces of vellum or parchment, or sheets or pieces of paper, on which several duties are by the several acts of parliament imposed, it shall and may be lawful for the said commissioners, instead of the distinct stamps directed to be provided to denote the several duties on the vellum, parchment, or paper, charged therewith, to cause, if they shall see occasion, one new stamp to be provided to denote the said several duties, and the additional duty granted by this act, on every piece of vellum or parchment, or sheet or piece of paper, charged with the said several duties.

One new stamp may be provided to denote the whole duties on each skin, &c.

VIII. And be it further enacted, That all vellum, parchment, and paper, liable to the duties hereby charged, shall, before the same shall be ingrossed, printed, or written upon, be brought to the head office for stamping or marking vellum, parchment, or paper; and the said commissioners, by themselves, or by their officers employed under them, shall forthwith, upon demand to them made by any person or persons from time to time, stamp or mark, as this act directs, any quantities or parcels of vellum, parchment, or paper, which shall be brought to them for that purpose; the person so bringing the same paying, to the receiver general of the stamp-duties for the time being, or his deputy or clerk, the several duties payable for the same by virtue of this act.

Vellum, parchment, &c. to be stamped before printed or wrote on, &c.

IX. And be it further enacted, That the same allowance shall be made on present payment of the several duties granted by this act, and in such manner, as by any former law relating to stamped vellum, parchment, and paper, is directed and allowed.

Usual allowance to be made on prompt payment.

X. And be it further enacted, That such stamps as the said commissioners are hereby directed and authorized to provide and use, shall and may be altered and renewed in such manner as any other stamps on vellum, parchment, or paper, are, by any former law relating to stamped vellum, parchment, or paper, directed to be altered and renewed; and that all persons who shall have in their custody or possession any vellum, parchment, or paper, marked with the stamp or mark which shall be so altered or renewed, or on which, being already stamped with a stamp denoting any former duty, a new stamp is hereby directed to be impressed, shall have the like remedy and allowance as by any former law relating to stamped vellum, parchment, or paper, is in like cases directed.

Stamps may be altered and renewed, &c.

XI. And be it further enacted, That if any person shall counterfeit or forge, or procure to be counterfeited or forged, any

Persons counterfeiting stamps, or seal,

knowingly
vending any
ſuch counter-
feits, to ſuffer
death as fe-
lons.

ſeal, ſtamp, or mark, directed or allowed to be uſed by this, or any other act of parliament, for the purpoſe of denoting the duties by this or any other act of parliament granted, or ſhall counterfeit or reſemble the impreſſion of the ſame; or ſhall utter, vend, ſell, or expoſe to ſale, any vellum, parchment, or paper, liable to the ſaid ſtamp-duties, with ſuch counterfeit mark or impreſſion thereupon, knowing the ſame to be counterfeit; or ſhall privately or fraudulently uſe any ſeal, ſtamp, or mark, directed or allowed to be uſed by this or any other act of parliament relating to the ſtamp-duties, with intent to defraud his Maſteſty, his heirs and ſucceſſors, of any of the ſaid duties; every perſon ſo offending, and being thercof lawfully convicted, ſhall be adjudged a felon, and ſhall ſuffer death as in caſes of felony, without benefit of clergy.

Duties granted
by this
act to be le-
vied, &c. as
thoſe under
former ſtamp-
acts.

XII. And be it further enacted, That all powers, proviſions, articles, claules, diſtribution of penalties and forfeitures, and all other matters and things, preſcribed or appointed by any former act or acts of parliament relating to the ſtamp-duties on vellum, parchment, and paper, ſhall be of full force and effect with relation to the ſeveral duties hereby impoſed; and ſhall be applied and put in execution for the raiſing, levying, collecting, and ſecuring the ſaid additional and new duties hereby impoſed, according to the true intent and meaning of this act, as fully, to all intents and purpoſes, as if the ſame had ſeverally and reſpectively been hereby enacted, with relation to the ſaid additional and new duties hereby impoſed.

Certain
claules in
turnpike and
navigation
acts, &c.
paſſed before
December 5,
1782, repealed.

XIII. And be it further enacted, That all ſuch parts of any act or acts of parliament relative to any turnpike, highway, paving, road, bridge, incloſure, navigation, or canal, or any other matter or thing, paſſed before the fifth day of *December*, 1782, as exempt any thouſand ſeven hundred and eighty-two, as exempt any mortgage, aſſignment, transfer, or other ſecurity for borrowing money, or any nomination, contract, bond, warrant, judgement, or other writing whatſoever liable to ſtamped duties, from being ſtamped, ſhall be, and the ſame are hereby repealed.

To what caſes
the ſaid repeal
ſhall not ex-
tend.

XIV. Provided always, and be it further enacted, That the ſaid repeal ſhall not extend to any transfer of any publick or government ſtocks or funds; or to any inſtruments, documents, or other writings whatſoever, concerning the publick revenue, or publick funds; or to any other writing expreſſly exempted from the ſtamp-duties by any act of parliament granting any ſuch duty or duties, unleſs where ſuch exemption has been repealed.

Duties to be
paid to re-
ceiver-general
of ſtamp-
duties.

XV. And be it further enacted, That the ſeveral duties herein-before granted ſhall be paid, from time to time, into the hands of the receiver-general for the time being of the duties on ſtamped vellum, parchment, and paper, who ſhall keep a ſeparate and diſtinct account of the ſeveral duties, and pay the ſame (the neceſſary charges of raiſing, paying, and accounting for the ſame, being deducted) into the receipt of the exchequer, for

for the uses and purposes in this act mentioned, at such time, and in such manner, as any former duties on stamped vellum, parchment, or paper, are directed to be paid.

XVI. And be it further enacted, That there shall be provided and kept, in the office of the auditor of the said receipt of exchequer, a book or books, in which all the monies arising from the said several duties, and paid into the said receipt as aforesaid, shall be entered, separate and apart from all other monies paid and payable to his Majesty, his heirs and successors, upon any account whatsoever; and the said money, so paid into the said receipt of exchequer as aforesaid, shall, together with such other rates, duties, and revenues, as shall be granted by any act or acts of this session of parliament for this purpose, be a fund for the payment of the several annuities, and all such other charges and expences as are directed to be paid and payable pursuant to an act of this present session of parliament, (intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery.*)

A separate account thereof to be kept by the auditor of the exchequer.

How to be applied.

XVII. And it is hereby enacted by the authority aforesaid, That if at any time or times it shall happen, that the produce of the several duties granted by this act, together with the several other duties, revenues, and taxes, granted in this session of parliament, for the payment of the several annuities of three pounds *per centum*, and of four pounds *per centum*, and of thirteen shillings and four-pence *per centum*, in respect of twelve millions, borrowed in pursuance of an act of this present session of parliament, (intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery.*) shall not be sufficient to pay and discharge the several annuities of three pounds *per centum*, and of four pounds *per centum*, and also the said annuity of thirteen shillings and four-pence *per centum*, to continue for seventy-seven years, from the fifth day of January, one thousand seven hundred and eighty-three, and then to cease, together with the other charges and expences attending the said respective annuities, to be satisfied and paid out of the same, at the end of any or either of the half-yearly days of payment, at which the same are directed by the said act to be paid; then, and so often, and in every such case, such deficiency or deficiencies shall and may be supplied out of any of the monies which, at any time or times, shall be or remain in the receipt of the exchequer, of the surplusses, excesses, overplus monies, and other revenues, composing the fund commonly called *The Sinking Fund*, (except such monies of the said sinking fund as are appropriated to any particular use or uses, by any former act or acts of parliament in that behalf,) and such monies of the said sinking fund shall and may be, from time to time, issued and applied accordingly: and if at any time or times, before any monies of the said fund, to be established as aforesaid, shall be brought into the exchequer as aforesaid, there shall happen to be a want of money for paying the several annuities as aforesaid, which shall be actually incurred, and grown due, at any

In case the duties granted this session for payment of the annuities granted by the lottery act, shall prove insufficient for that purpose,

the deficiency shall be supplied out of the sinking fund:

of

of the half-yearly days of payment before-mentioned; that then, and in every ſuch caſe, the money ſo wanted ſhall and may be ſupplied out of the monies of the ſinking fund, (except as before excepted,) and be iſſued accordingly.

To be replaced out of the next ſupplies.

XVIII. Provided always, and be it enacted by the authority aforeſaid, That whatever monies ſhall be iſſued out of the ſaid ſinking fund, ſhall, from time to time, be replaced by and out of the firſt ſupplies to be then after granted in parliament.

In caſe of a ſurplus of duties, the ſame ſhall be reſerved for the diſpoſition of parliament.

XIX. Provided always, and be it enacted by the authority aforeſaid, That in caſe there ſhall be any ſurplus or remainder of the monies ariſing by the ſaid fund, after the ſaid ſeveral and reſpective annuities, and all arrears thereof, are ſatiſfied, or money ſufficient ſhall be reſerved for that purpoſe, ſuch ſurplus or remainder ſhall, from time to time, be reſerved for the diſpoſition of parliament, and ſhall not be iſſued but by the authority of parliament, and as ſhall be directed by future act or acts of parliament; any thing in any former or other act or acts of parliament to the contrary notwithstanding.

Perſons ſued for executing this act, may plead the general iſſue.

XX. And be it further enacted, That if any perſon or perſons ſhall at any time or times be ſued, moleſted, or proſecuted, for any thing by him or them done or executed in purſuance of this act, or of any clause, matter, or thing, herein contained, ſuch perſon or perſons ſhall and may plead the general iſſue, and give the ſpecial matter in evidence for his or their defence; and if upon the trial a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall become nonſuited, then ſuch defendant or defendants ſhall have treble coſts awarded to him or them againſt ſuch plaintiff or plaintiffs.

and ſhall be entitled to treble coſts.

C A P. LIX.

An act to provide that the proceedings on the bill, now depending in parliament, for inflicting certain pains and penalties on ſir Thomas Rumbold, baronet, and Peter Perring, eſquire, for certain breaches of publick truſt, and high crimes and miſdeemeanors, committed by them whiſt they reſpectively held the offices of governor and preſident, counſellors, and members of the ſelect committee of the ſettlement of Fort Saint George, on the coaſt of Coromandel, in the Eaſt Indies, ſhall not be diſcontinued by any prorogation or diſſolution of parliament.

Recital of a bill now depending in the houſe of commons.

WHEREAS a bill is depending in the houſe of commons, intituled, A bill for inflicting certain pains and penalties on ſir Thomas Rumbold, baronet, and Peter Perring, eſquire, for certain breaches of publick truſt, and high crimes and miſdeemeanors, committed by them whiſt they reſpectively held the offices of governor and preſident, counſellors and members of the ſelect committee of the ſettlement of Fort Saint George, on the coaſt of Coromandel, in the Eaſt Indies: and whereas, on account of the preſent late period of the ſeſſion, and of the great body of evidences adduced in ſupport of, and againſt the truth of the allega-

tions in the bill, it is probable the parliament may be prorogued before the said bill, under the above circumstances, can be properly considered: and whereas it is highly expedient for the publick service, that the said bill should be proceeded on as early as possible in the next session of parliament; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the proceedings on the said bill now depending in the house of commons, intituled, *A bill for inflicting certain pains and penalties on sir Thomas Rumbold, baronet, and Peter Perring, esquire, for certain breaches of publick trust, and high crimes and misdemeanors, committed by them whilst they respectively held the offices of governor and president, counsellors, and members of the select committee of the settlement of Fort Saint George, on the coast of Coromandel, in the East Indies*, shall not be discontinued by any prorogation or dissolution of parliament; but the said bill may be proceeded on in the next session of parliament in such and the same manner as could or might have been in case the present session of parliament had been continued, and no prorogation or dissolution of parliament had happened or taken place.

The proceedings on the rec'd bill not to be discontinued by prorogation or dissolution of parliament.

C A P. LX.

An act for further continuing so much of an act, passed in the twenty-second year of the reign of his present Majesty, intituled, An act for restraining sir Thomas Rumbold, baronet, and Peter Perring, esquire, from going out of this kingdom, for a limited time; and for discovering their estates and effects, and preventing the transporting or alienating the same, as relates to restraining the said sir Thomas Rumbold, baronet, and Peter Perring, esquire, from alienating or otherwise disposing of their respective real estates.

WHEREAS an act was passed in this session of parliament, for continuing an act, passed in the twenty-second year of the reign of his present Majesty, intituled, *An act for restraining sir Thomas Rumbold, baronet, and Peter Perring, esquire, from going out of this kingdom, for a limited time; and for discovering their estates and effects, and preventing the transporting or alienating the same: and whereas, by virtue of the said recited act, the said act, passed in the twenty-second year of the reign of his present Majesty, is to have continuance, and be in force, until the end of the present session of parliament, and no longer: and whereas a bill for inflicting certain pains and penalties on the said sir Thomas Rumbold, baronet, and Peter Perring, esquire, for certain breaches of publick trust, and high crimes and misdemeanors, committed by them whilst they respectively held the offices of governor and president, counsellors and members of the select committee of the settlement of*

Recital of c. c. of the present session.

Such licences, or by any person or persons under the authority of his Majesty's letters patent, there shall be charged a stamp-duty of sixpence :

For every box, bottle, &c. of the value of 5 s. a duty of 1 s.

Upon every box, packet, bottle, or phial, or other inclosure, of any medicine of the price or value of five shillings and upwards, which shall be uttered, vended, or sold, by persons taking out such licences, or by any persons under the authority of his Majesty's letters patent, there shall be charged a stamp-duty of one shilling.

Not to extend to surgeons of the navy or army.

II. And be it further enacted, That nothing herein contained shall extend to any person or persons vending any drugs or medicines, who shall have served as a surgeon in the navy or army, under any commission or appointment, where the same shall have been duly entered at the war office or navy office.

Duties to be under the management of commissioners of stamp-duties.

III. And be it further enacted, That, for the better and more effectual levying and collecting all the said duties herein-before granted, the same shall be under the government, care, and management, of the commissioners for the time being appointed to manage the duties charged on stamped vellum, parchment, and paper; who, or the major part of them, are hereby required and impowered to appoint and employ such officers under them for that purpose, and to allow such salaries and incidental charges as may be necessary, and to provide and use such stamps to denote the said several duties, as shall be requisite in that behalf, and to do all other things necessary to be done for putting this act in execution, with relation to the said rates and duties herein-before granted, in the like and in as full and ample manner as they, or the major part of them, are or is authorized to put in execution any former law concerning stamped vellum, parchment, and paper.

From Sept. 1, 1783, unqualified persons selling medicines without a licence, shall forfeit 5 l.

IV. And be it further enacted, That, from and after the first day of *September*, one thousand seven hundred and eighty-three, no person whatsoever, required by this act to be licensed, shall, unless he or she be licensed in manner herein-after prescribed, utter, vend, or sell, any medicine in *Great Britain*, upon pain to forfeit, for every offence, the sum of five pounds, to be recovered and applied as herein-after is directed.

Any two of the commissioners of stamps may grant licences.

V. And be it further enacted, That, from and after the passing of this act, any two or more of his Majesty's commissioners appointed for managing the duties arising by stamps on vellum, parchment, or paper, or some person duly authorized by them, shall grant licences to such persons who shall apply for the same, to sell medicines in any city, town, or other place, within *Great Britain*, for the space of one year, to commence from the said first day of *September*, one thousand seven hundred and eighty-three, upon all licences to be granted on or before that day, and upon licences to be first granted to any person or persons after the said first day of *September*, one thousand seven hundred and eighty-three, to commence from the day of the date of every such licence; and all and every person and persons,

sons, who shall take out such licence for selling medicines, shall take out a fresh licence for another year, ten days at the least before the expiration of that year for which he or she shall be so licensed, if he or she shall continue to sell medicines; and shall in like manner renew such licence, from year to year, paying down the respective sums due for the stamps on such licences, as long as he or she shall continue to sell medicines.

Licences to be renewed 10 days before they expire.

VI. *And, in order to secure the duty hereby imposed*, be it further enacted, That every person making, uttering, or vending such medicines, shall send to the commissioners of stamps, or to their officers appointed by them for that purpose, paper covers, wrappers, or labels, made for inclosing such medicines, with his, her, or their name or names, and any other particular word or thing printed thereon, to denote the value at which the same is intended to be sold, in such manner and form as the said commissioners shall direct, in order that the same may be stamped with the several and respective duties hereby directed to be imposed, and delivered again, from time to time, to such maker or vender, as occasion shall require; and every box, packet, bottle, or phial, or any other inclosure of medicine, uttered, vended, or sold, by any person or persons taking out the licence required by this act, or that shall be uttered, vended, or sold, by or for any person or persons under the authority of any letters patent, shall be covered, wrapped up, or inclosed with such mark or device, and in such manner as the commissioners of his Majesty's stamp-duties shall from time to time direct.

Venders of medicines to send covers or labels to the office to be stamped;

and to cover their boxes, bottles, &c. as the commissioners shall direct.

VII. And be it further enacted, That if any person or persons shall utter, vend, sell, or expose to sale, any box, packet, bottle, or phial, or any other inclosure of medicine, subject to the stamp-duties hereby imposed, unless the cover, wrapper, or label hereby directed to inclose, or to be affixed to the same, shall be marked, sealed, and stamped, as by this act is directed, or shall be inclosed in any cover or wrapper, or shall have any label affixed thereto, marked or stamped with a stamp or mark of less denomination or value than by this act is directed, all and every such person and persons so offending shall forfeit and pay, for every box, packet, bottle, or phial, or other inclosure of such medicine so uttered, sold, or exposed to sale, the sum of five pounds, to be recovered and applied as herein-after is directed.

Penalty on selling, or exposing to sale, any such medicines without a proper cover, 5l.

VIII. *And, to prevent the seal, mark, or stamp, hereby directed to be used, which has inclosed any medicine, from being made use of again for inclosing other medicines, the box, packet, bottle, or phial, or other inclosure whereof is hereby directed to be stamped*; be it enacted, That if any person or persons shall fraudulently cut, tear, or take off, any mark, seal, or stamp, in respect whereof, or whereby any duties are hereby payable on any box, packet, bottle, or phial, or other inclosure of any medicine; or shall fraudulently inclose any box, packet, bottle, or phial of medicine, in any paper so sealed and stamped as aforesaid, the same

Penalty on making use of stamped covers more than once, &c. 10l.

having been once made uſe of for the purpoſe aforeſaid; or if any perſon or perſons ſhall hereafter ſell, utter, or expoſe to ſale, any box, packet, bottle, or phial, or other incloſure of medicine liable to any of the duties hereby charged, the ſame not being at the time of ſuch ſelling, uttering, or expoſing to ſale, incloſed in ſome cover, wrapper, or label, actually ſtamped as by this act is directed; then ſo often, and in every ſuch caſe, all and every perſon and perſons ſo offending in any of the particulars before-mentioned, ſhall forfeit the ſum of ten pounds, to be recovered and applied as herein-after is directed.

Any perſon who ſhall buy or ſell any covers to be uſed for incloſing medicines more than once, ſhall forfeit 10l.

IX. And, to prevent perſons ſo licensed as aforeſaid from ſelling and buying any covers, wrappers, and labels, which have before been made uſe of for denoting any of the duties by this act impoſed, and for preventing ſuch frauds, be it enacted, That if any perſon ſhall, from and after the paſſing of this act, ſell or buy any ſuch cover, wrapper, or label, in order to be again made uſe of for the incloſing any box, packet, bottle, or phial, or other incloſure of medicine, liable to the duty hereby impoſed, every ſuch perſon ſo offending ſhall, for every ſuch offence, forfeit the ſum of ten pounds, to be recovered and applied as herein-after is directed.

Either buyer or ſeller may inform againſt the other, and be himſelf indemnified.

X. Provided always, and be it enacted, That if either the buyer or ſeller of any ſuch cover, wrapper, or label, ſhall inform againſt the other party concerned in buying or ſelling ſuch cover, wrapper, or label, the party ſo offending ſhall be admitted to give evidence againſt the party informed againſt, and ſhall be indemnified from the penalties by him or her incurred.

Perſons counterfeiting ſtamps or marks to ſuffer death as felons.

XI. And be it further enacted, That if any perſon ſhall counterfeit or forge, or procure to be counterfeited or forged, any ſeal, ſtamp, or mark, directed or allowed to be uſed by this act, or ſhall counterfeit or reſemble the impreſſion of the ſame, with an intent to defraud his Maſteſty, his heirs or ſucceſſors of any of the ſaid duties; or ſhall privately or fraudulently uſe any ſeal, ſtamp, or mark, directed or allowed to be uſed by this act, with intent to defraud his Maſteſty, his heirs or ſucceſſors, of any of the ſaid duties; every perſon ſo offending, and being thereof lawfully convicted, ſhall be adjudged a felon, and ſhall ſuffer death as in caſes of felony, without benefit of clergy.

Penalties how to be divided.

XII. And be it further enacted, That all pecuniary penalties hereby impoſed ſhall be divided and diſtributed in manner following; that is to ſay, one moiety thereof ſhall be paid to his Maſteſty, his heirs and ſucceſſors, and the other moiety thereof, with full coſts of ſuit, to ſuch perſon and perſons as ſhall inform and ſue for the ſame, in any of his Maſteſty's courts at Weſtmiſter, for offences committed in England, Wales, or Berwick upon Tweed, and in his Maſteſty's court of ſeſſion, court of juſticiary, or court of exchequer in Scotland, for offences committed there, by action of debt, bill, plaint, or information,

wherein

wherein no effoin, protection, privilege, or wager of law, or more than one imparlance, shall be allowed.

XIII. And be it further enacted, That the several rates and duties herein-before granted shall be paid from time to time into the hands of the receiver general for the time being of the duties on stamped vellum, parchment, and paper, who shall keep a separate and distinct account of the several rates and duties, and pay the same (the necessary charges of raising, paying, and accounting for the same, being deducted) into the receipt of the exchequer for the uses and purposes in this act mentioned, at such time and in such manner as any former duties on stamped vellum, parchment, and paper, are directed to be paid.

Duties to be paid to the receiver-general of stamp duties, and by him paid into the exchequer.

XIV. And be it further enacted, That there shall be provided and kept in the office of the auditor of the said receipt of exchequer, a book or books, in which all the monies arising from the said several rates and duties, and paid into the said receipt as aforesaid, shall be entered separate and apart from all other monies paid and payable to his Majesty, his heirs and successors, upon any account whatsoever; and the said money, so paid into the said receipt of exchequer as aforesaid, shall, together with such other rates and duties as shall be granted by any act or acts of this session of parliament for this purpose, be a fund for the payment of the several annuities, and all such other charges and expences as are directed to be paid and payable pursuant to an act of this present session of parliament, intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery.*

Auditor to keep a separate account thereof.

Application of the duties.

XV. And be it further enacted, That if any person or persons shall at any time be sued, molested, or prosecuted, for any thing by him or them done or executed in pursuance of this act, or of any clause, matter, or thing, herein contained, such person and persons shall and may plead the general issue, and give the special matter in evidence for his or their defence; and if upon the trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, then such defendant or defendants shall have treble costs awarded to him or them against such plaintiff or plaintiffs.

Persons sued for executing this act, may plead the general issue, and shall be entitled to treble costs.

C A P. LXIII.

An act for granting to his Majesty an additional duty upon stage coaches, and other carriages therein mentioned.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, being desirous to raise the necessary supplies to defray your Majesty's publick expences, do humbly present your Majesty with the free gift of the further rate herein-after mentioned; and do

beſeech your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the firſt day of *Auguſt*, one thouſand ſeven hundred and eighty-three, there ſhall be raiſed, levied, collected, and paid, throughout the kingdom of *Great Britain*, unto and for the uſe of his Maſteſty, his heirs and ſucceſſors, the additional rate and duty following; (that is to ſay,)

From Aug. 1, 1783, the following additional duty to be paid to his Maſteſty; viz.

For every ſtage coach, or other four-wheeled machine, employed in carrying paſſengers for hire, one halfpenny for every mile ſuch carriage ſhall travel.

Every four-wheeled chaiſe, or other machine commonly called *A Diligence*, or *Poſt-coach*, and every coach, berlin, landau, chariot, calaſh with four wheels, chaiſe-marine, chaiſe with four wheels, or other machine, by what name ſoever the ſame now is or hereafter ſhall be called or known, to be employed as publick ſtage coaches or carriages, for the purpoſe of conveying paſſengers for hire, to and from one place to another in the kingdom of *Great Britain*, ſhall be charged with an additional duty of one halfpenny for every mile ſuch carriages ſhall travel, to be paid by the owners thereof.

To be under the management of commiſſioners for ſtamps.

II. And be it further enacted, That, for the better and more effectual levying and collecting the ſaid additional duty herein-before granted, the ſame ſhall be under the government, care, and management of the commiſſioners, for the time being, appointed to manage the duties charged on ſtamped vellum, parchment, and paper; who, or the major part of them, are hereby required to do all things neceſſary to be done for putting this act into execution, in as ample a manner as they are authorized to put into execution any law concerning ſtamped vellum, parchment, and paper.

All powers, diſtribution of penalties and forfeitures, &c. appointed by 20 Geo. 3. c. 51. ſhall be in force with relation to this act.

III. And be it further enacted, That all powers, provisions, articles, clauses, diſtribution of penalties and forfeitures, and all other matters and things preſcribed or appointed by an act made in the twentieth year of the reign of his preſent Maſteſty, intituled, *An act for repealing an act, made in the nineteenth year of the reign of his preſent Maſteſty, intituled, An act for granting to his Maſteſty certain duties on licences to be taken out by all perſons letting horſes to hire, for travelling in the manner therein mentioned; and certain duties on all horſes let to hire for the purpoſes of travelling poſt, and by time; and upon certain carriages therein mentioned; and for granting other duties in lieu thereof*; ſhall be of full force and effect, with relation to the rates and duties hereby impoſed, and ſhall be applied and put in execution for the raiſing, levying, collecting, and ſecuring the ſaid additional rate and duty hereby impoſed, according to the true intent and meaning of this act, as fully, to all intents and purpoſes, as if the ſame had ſeverally and reſpectively been hereby enacted with relation to the ſaid additional rate and duty hereby impoſed.

IV. And

And be it further enacted, That the said additional rate and duty herein-before granted, shall be paid, from time to time, into the hands of the receiver-general for the time being of the duties on stamped vellum, parchment, and paper, who shall keep a separate and distinct account of the said additional duty, and pay the same (the necessary charges of raising, paying, and accounting for the same, being deducted) into the receipt of the exchequer, at such time, and in such manner, as the duties now charged on stamped vellum, parchment, and paper, are directed to be paid; and in the office of the auditor of the said receipt, there shall be provided and kept a book or books, in which all the monies arising from the said duty, and paid into the said receipt as aforesaid, shall be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatsoever; and the said money, so paid into the said receipt of exchequer as aforesaid, shall be a fund for the payment of the several annuities, and all such other charges and expences as are directed to be paid and payable by an act of this present session of parliament, intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery.*

The duty to be paid to the receiver-general of stamp duties, and by him paid into the exchequer.

Auditor to enter the same separate from all other monies.

Application thereof.

C A P. LXIV.

An act for taking away from the commissioners of excise, in England and Scotland, the power of compounding with persons making malt not to sell, but to be consumed in their own private families.

WHEREAS by the several statutes now in force for imposing duties upon all malt made in Great Britain, the commissioners of excise, or other persons by them respectively appointed for that purpose, are authorized to compound and agree with such persons as shall make malt not to sell or make profit thereof, but to be consumed in their own private families only, at a certain rate or payment for every head, which, at any time or times, during the continuance of such composition, shall be of the family of such persons respectively, as in and by the said statutes is particularly directed and required: and whereas great frauds have been, and are now frequently practised by means of such compositions, and great quantities of malt have been privately sold and disposed of by such compounders, to the manifest injury of the revenue, and of the fair trader; for remedy thereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of August, one thousand seven hundred and eighty-three, all the powers and authority to the commissioners of excise, or other persons, by all or any of the said acts, given to compound and agree with any person or persons for the duties on malt by any such persons made or to be made, shall cease and determine; any thing in any of the said statutes, or in either of them, to the contrary thereof in anywise notwithstanding.

Preamble.

From Aug. 1, 1783, all compositions, for making malt for private families, shall cease.

Compound-
ers, on or be-
fore Aug. 10,
1783, to make
entries of all
malt they
were possessed
of on Aug. 1,
on forfeiture
of 50l. and all
such unenter-
ed malt.

Houses, &c.
of compound-
ers, after
Aug. 1. liable
to survey of
proper offi-
cers,

Compositions
made or re-
newed since
June 23, 1783,
to be void.

Penalties and
forfeitures to
be levied and
recovered, &c.
in the same
manner as
those under
former laws
of excise.

II. And it is hereby further enacted by the authority aforesaid, That all and every person and persons, who hath or have already made composition or agreement for the duties of the malt by them respectively made, or to be made, in pursuance of the said acts, or any of them, shall, on or before the tenth day of *August*, one thousand seven hundred and eighty-three, make true and particular entries of all such malt as they, or any of them, or any other person or persons in trust for them, or any of them, were possessed of on the first day of *August*, one thousand seven hundred and eighty-three, or had in his or their custody or possession, at the office of excise within the limits of which they shall respectively inhabit, upon pain to forfeit the sum of fifty pounds, and also all the malt of which no such entry shall be made; and within six days after he, she, or they, shall have made, or ought to have made, such entry as aforesaid, shall pay down for the said malt, the several duties chargeable upon malt, or, in default thereof, shall forfeit and lose double the value of the said malt; and that the houses, out-houses, and other places belonging to such compounders, from and after the said first day of *August*, one thousand seven hundred and eighty-three, shall, and are hereby made liable to the survey of the officers for the duties on malt, in the same manner, and under the same rules, and under the same fines and penalties for refusal, as persons making malt for sale are liable.

III. And whereas it may have happened, that, in pursuance of the powers by the said before-recited statutes given, the officers appointed by the commissioners of excise for that purpose may, since the twenty-third day of June, one thousand seven hundred and eighty-three, have made or renewed compositions for the duties on malt with persons applying to make or renew such compositions, and the money payable for the same may have been received by such officers: Now, to prevent all confusion, be it enacted by the authority aforesaid, That all such compositions as shall have been so made, renewed, or agreed to be made, since the said twenty-third day of June, one thousand seven hundred and eighty-three, shall be, and are hereby declared null and void; and all such sums of money as shall have been received by the said officers from the persons so making or renewing their compositions as aforesaid, shall, and the same are hereby directed and required to be returned to the person and persons respectively who shall have paid the same; any thing in the said former acts to the contrary in anywise notwithstanding.

IV. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, in relation to the said duties upon the malt stock in hand, shall be sued for, levied, and recovered, or mitigated by such ways, means, and methods, as any fine, penalty, or forfeiture, is or may be recovered or mitigated by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland* respectively; and that one moiety of every such fine penalty

penalty, and forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall discover, inform, or sue for the same.

C A P. LXV.

An act for repealing an act, made in the fifth year of the reign of his present Majesty, intituled, An act for repealing the act made in the last session of parliament, intituled, "An act for vesting the fort of " Senegal, and its dependencies, in the company of merchants trading " to Africa;" and to vest as well the said fort and its dependencies, as all other the British forts and settlements upon the coast of Africa, lying between the port of Sallee and Cape Rouge, together with all the property, estate, and effects of the company of merchants trading to Africa, in or upon the said forts, settlements, and their dependencies, in his Majesty; and for securing, extending, and improving the trade to Africa; and for vesting James Fort, in the river Gambia, and its dependencies, and all other the British forts and settlements between the port of Sallee and Cape Rouge, in the company of merchants trading to Africa; and for securing and regulating the trade to Africa.

C A P. LXVI.

An act for granting to his Majesty several rates and duties upon waggons, wains, carts, and other such carriages, not charged with any duty under the management of the commissioners of excise.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Commons of *Great Britain*, in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, have freely and voluntarily resolved to give and grant unto your Majesty the several new rates and duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, From Nov. 1, 1783, the following duties to be paid to his Majesty; viz. from and after the first day of *November*, one thousand seven hundred and eighty-three, there shall be raised, levied, collected, and paid, throughout the kingdom of *Great Britain*, unto and for the use of his Majesty, his heirs and successors, the several rates and duties following; (that is to say,)

That every person who shall keep any waggon, wain, cart, or other such carriage, with three or four wheels, (except such carriages as are now charged with any duty under the management of the commissioners of excise,) shall yield and pay annually the sum of four shillings for every such waggon, wain, cart, or other such carriage as aforesaid, which shall be expressed in a licence for that purpose: For every waggon, wain, &c. with 3 or 4 wheels (not already charged with a duty) 4 s. per ann.

And that every person who shall keep any cart or other carriage, with two wheels, (except such carriages as are now charged two-wheeled

carriages,
(except those
already
charged)
2s. per ann.

No person to
pay for more
than one such
carriage em-
ployed in
agriculture
only, nor
more than
three for any
other pur-
pose; except
carriages em-
ployed for
hire.

Not to extend
to carts, or
other two-
wheeled car-
riages, em-
ployed in agri-
culture only.

Not to extend
to one horse
peat carts.

Carriages em-
ployed in car-
rying arms,
ammunition,
&c. for sol-
diers, or ma-
rines, not
deemed work-
ing for hire.

Duties to be
under the
management
of commis-
sioners of
stamp duties.

charged with any duty under the management of the commis-
sioners of excise,) shall yield and pay annually the sum of 40
shillings for every such cart or other carriage, which shall be
expressed in a licence for that purpose.

II. Provided nevertheless, and be it further enacted, That
no person shall be obliged to pay the said yearly sum of four
shillings for more than one such carriage employed in agricul-
ture only, nor for more than three such carriages employed for
any other purpose, on which the said duty of four shillings is
hereby charged, where such waggons, wains, or other such car-
riages, are kept by or for him or her, for his or her own use
only, and shall not be used for the carriage of any goods, wares,
or merchandize, for hire, or be let out for hire.

III. Provided also, and be it further enacted, That nothing
in this act contained shall extend, or be construed to extend,
to charge with the duty hereby imposed, any cart or other car-
riage with two wheels, employed in agriculture only, and not
employed in parks or pleasure ground, or used for the carriage
of any goods, wares, or merchandize, for hire, or let out for
hire.

IV. Provided always, and be it enacted, That nothing herein
contained shall extend, or be construed to extend, to carts
with two wheels drawn by one horse only, and employed only
for the carriage of peats or turf for fuel, and not let out for
hire.

V. And be it enacted, That in case any waggon, or other
carriage, shall be pressed for the purpose of conveying any arms,
ammunition, or other baggage, under and by virtue of any
law for preventing mutiny and desertion, and for the better
payment of the army and their quarters, or for the regulation
of his Majesty's marine forces while on shore, and the owner
thereof shall be paid for such carriage, the same shall not be
deemed to be a working for hire within the intent and meaning
of this act.

VI. And, for the better and more effectual raising, levying, collect-
ing, and paying, the said rates and duties herein before granted, be
it enacted, That the same shall be under the government, care,
and management of the commissioners for the time being ap-
pointed to manage the duties charged on stamped vellum, parch-
ment, and paper; who, or the major part of them, are hereby
required and impowered to appoint and employ such officers
under them for that purpose, and to allow such salaries and in-
cidental charges as shall be necessary, and to provide and use
such marks or stamps as they shall think fit to denote the duty,
and to repair, renew, or alter the same, from time to time, as
there shall be occasion; and to do all other acts, matters, and
things necessary to be done for putting this act in execution,
with relation to the said rates and duties hereby granted, in the
like and in as full and ample manner as they, or the major
part

part of them, are authorized to put in execution any of the laws now in being concerning stamped vellum, parchment, and paper.

VII. And be it further enacted, That all and every person and persons who, from and after the said first day of *November*, one thousand seven hundred and eighty-three, shall have or keep any waggon, wain, cart, or other carriage hereby directed to be licensed, for his, her, or their own use, or the use of any person of or for whom he, she, or they, is, are, or shall be committees, trustees, or guardians, if living in *London, Westminster*, or within the limits of the weekly bills of mortality, shall, within thirty days after the said first day of *November*, one thousand seven hundred and eighty-three, or within twenty days after he or she shall begin to keep such waggon, wain, cart, or other carriage, and from time to time within twenty days after beginning to keep any other such carriage or carriages respectively, not being in the place or stead of the former, give notice in writing, at the head office in *London* for stamping and marking of vellum, parchment, and paper, of his, her, or their keeping the same, and of the number of the waggons, wains, carts, or other carriages, so by him, her, or them respectively kept as aforesaid, and of the parish or place where he, she, or they respectively reside, and shall at the same time pay down the respective annual rates and duties so imposed as aforesaid for keeping the same.

Persons living in *London*, or within the weekly bills, shall give notice, at the stamp-office, of the number of waggons, &c. they keep:

VIII. And be it further enacted, That all and every person and persons who, from and after the said first day of *November*, one thousand seven hundred and eighty-three, shall keep any waggon, wain, cart, or other carriage, hereby directed to be licensed, for his or her own use, or for the use of any person of or for whom he, she, or they shall be committees, trustees, or guardians, in any other part of *Great Britain*, shall, within sixty days after the said first day of *November*, one thousand seven hundred and eighty-three, or within twenty days after he, she, or they shall begin to keep such waggon, wain, cart, or other carriage, and from time to time within twenty days after beginning to keep any other such carriage or carriages respectively, not being in the place or stead of the former, give notice in writing to the proper officer appointed by the said commissioners for that purpose, residing next to the place where such person or persons, for whose use the same shall be so kept, shall respectively inhabit, of his, her, or their keeping the same, and of the number of the waggons, wains, carts, or other carriages, so by him or them respectively kept as aforesaid, and of the parish or place where he, she, or they respectively reside; and shall at the same time pay down the respective annual rates and duties so imposed as aforesaid for the keeping the same.

Persons residing in any other part of *Great Britain* to give like notice to the proper officer in the neighbourhood.

IX. And be it further enacted, That all and every person and persons who shall give, or be obliged to give such notice as aforesaid, is and are hereby required, at or within twenty days after the expiration of twelve calendar months after the times

Such notice as aforesaid to be given, and payment made annually, on foot of

of giving or being obliged to give such first notice, to give a fresh notice in manner aforesaid, and pay down the respective annual rates and duties above mentioned, according to the number of waggons, wains, carts, or other carriages, so by him, her, or them respectively then kept, and in the same manner to renew such notice, and make such payment, from year to year, as long as he, she, or they shall so keep any such carriages; and if any person or persons shall so keep any such waggon, wain, cart, or other carriage as aforesaid, without giving such first or other notice, and making such payments yearly in manner aforesaid, he, she, or they, shall respectively forfeit and lose the sum of five pounds for each offence.

Not obliged to go further than the next market town to make payment, &c.

X. Provided always, and be it further enacted, That no such person as aforesaid shall be compelled to travel, for the making such entry, or the payment of the said duties, or other cause whatsoever, touching or concerning the same, if he or she live in a market town, out of the said town, or if he or she live out of a market town, then to no other place than to the market town nearest to his or her habitation.

Upon payment of the duties, a licence shall be given.

XI. And be it further enacted, That, upon the payment of the said several rates and duties, so hereby granted, at the said head office of stamps in *London*, or to the respective officers in the country, a licence shall be given to every person so paying such respective rates and duties; which licence shall contain the number of such waggons, wains, carts, or other carriages, so respectively entered, the sum paid for the same, and the time for which such licence shall be granted.

Prosecutions to be determined by a neighbouring justice;

but appeal may be made to the quarter sessions.

XII. And be it further enacted, That all prosecutions for the recovery of the duties hereby granted, as also for all forfeitures and offences made and committed against this act, shall be heard and determined by any justice of the peace residing near to the place where such forfeiture shall be made, or offence committed; and if the party finds himself aggrieved by the judgement of any such justice, he shall and may appeal to the justices of the peace at the next quarter sessions, who are hereby authorized and empowered to hear and determine the same, and their judgement therein shall be final: and every such justice is hereby authorized and strictly enjoined and required, upon complaint or information exhibited and brought of any forfeiture incurred, or offence committed contrary to this act, to summon the party accused, and upon his appearance, or refusal or neglect to appear, to proceed to the examination of the matter of fact; and upon due proof made thereof, either by the voluntary confession of the party, or by the oath of one or more witnesses or witnesses, to give judgement thereupon, and to award and issue out warrants under his hand for the levying of such forfeiture and penalty upon the goods and chattels of the offender, and to cause sale to be made of the said goods and chattels, if they shall not be redeemed within fourteen days, rendering to the party the overplus, if any.

XIII. Provided nevertheless, and be it further enacted, That

it shall and may be lawful to and for the said justice, where he shall see cause, to mitigate or lessen any such forfeiture or penalty as he shall think fit; reasonable costs to the officers and informers being always allowed over and above such mitigation, and so that such mitigation do not reduce the penalties to less than a moiety of the penalties incurred over and above the costs.

Justice may mitigate penalties.

XIV. Provided always, and it is hereby enacted, That no bill, plaint, or information, shall be brought or sued forth in any of his Majesty's courts of record at *Westminster*, for any offence against this act, touching or concerning the duties hereby granted for or upon any waggons, wains, or carts, in cases where such offences are cognizable by any justice or justices of the peace.

Offences cognizable by justices, not to be prosecuted in the courts at Westminster.

XV. Provided also, and be it further enacted, That no writ or writs of *certiorari* shall supersede execution, or other proceedings, upon any order or orders made in pursuance of this act; but execution and other proceedings shall and may be had and made thereupon, any such writ or writs, or allowance thereof, notwithstanding.

Writs of *certiorari* not to supersede proceedings under this act.

XVI. And it is hereby further enacted, That all forfeitures and penalties mentioned in this act (all necessary charges for the recovery thereof being first deducted) shall be divided and distributed, one moiety thereof to and for the use of his Majesty, his heirs and successors, and the other moiety to such person and persons who shall inform and sue for the same.

Distribution of forfeitures.

XVII. Provided always, and be it further enacted, That in every case, where the duty or duties required by this act to be paid by any person chargeable with the same, shall be paid, and entry made as aforesaid, before any information laid of such entry or payment not having been made, although not strictly within the time for that purpose mentioned, no person having made such payment and entry shall be prosecuted for not having made such payment and entry within the time limited by this act.

Clause relative to payment of duties and making entry.

XVIII. Provided always, and be it further enacted, That if any person, having made due entry and payment of the duty for any waggon, wain, cart, or other carriage, required by this act to be licensed, according to the true intent and meaning thereof, shall die before the end of the year for which such entry and payment shall be made; in every such case it shall be lawful for any person, claiming title to every such waggon, wain, cart, or other carriage, by, from, or under such deceased person, to make use of such waggon, wain, cart, or other carriage, for or in respect whereof such entry and duty shall have been made and paid as aforesaid, during the residue of the year for which such payment shall have been made, in like manner as such deceased person might have done if living.

If any person having paid the duty shall die before the end of the year, the benefit of his licence shall be enjoyed by his representative.

XIX. And be it further enacted, That the several rates and duties herein-before granted shall be paid, from time to time, into the hands of the receiver-general for the time being of the duties

Duties to be paid to the receiver-general of duties

stamp-duties,
and by him
paid into the
exchequer.

Application
thereof.

Persons sued
in execution
of this act,
may plead the
general issue,

and shall be
intitled to
treble costs.

duties on stamped vellum, parchment, and paper; who shall keep a separate and distinct account of the said several rates and duties, and pay the same (the necessary charges of raising, printing, and accounting for the same, being first deducted) into the receipt of the exchequer, at such time, and in such manner, as the duties now charged on stamped vellum, parchment, and paper, are directed to be paid; and in the office of the auditor of the said receipt there shall be provided and kept a book or books, in which all the monies arising from the said several rates and duties, and paid into the said receipt as aforesaid, shall be entered, separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatsoever; and the said money, so paid into the said receipt of exchequer as aforesaid, shall be a fund for payment of the several annuities, and all such other charges and expences, as are directed to be paid and payable by an act of this present session of parliament, (intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery.*)

XX. And be it further enacted, That if any person or persons shall, at any time or times, be sued, molested, or prosecuted for any thing by him or them done or executed in pursuance of this act, or of any clause, matter, or thing therein contained, such person or persons shall or may plead the general issue, and give the special matter in evidence for his or their defence; and if, upon the trial, a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, then such defendant or defendants shall have treble costs awarded to him or them against such plaintiff or plaintiffs.

C A P. LXVII.

An act for granting to his Majesty a stamp-duty on the registry of burials, marriages, births, and christenings.

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, towards raising such supplies as are necessary to defray your Majesty's publick expences, do humbly present your Majesty with the grant of the new duty herein-after mentioned; and do beseech your Majesty that it may be enacted; and be it enacted by the king's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of *October*, one thousand seven hundred and eighty-three, there shall be charged, levied, and paid unto and for the use of his Majesty, his heirs and successors, the new duty following; (that is to say.)

From Oct. 1.
1783. the fol-
lowing duty
to be paid to
his Majesty;
viz,

Upon

Upon the entry of any burial, marriage, birth, or christening, in the register of any parish, precinct, or place in Great Britain, a stamp duty of three pence.

Upon the entry of every burial, marriage, &c. 3d.

II. And be it further enacted, That, for the better and more effectual levying and collecting, the said duty herein-before granted, the same shall be under the government, care, and management, of the commissioners for the time being appointed to manage the duties charged, on stamped vellum, parchment, and paper; who, or the major part of them, are hereby required and empowered to appoint and employ such officers and clerks for that purpose, and to allow such salaries and incidental charges as may be necessary, and to provide and use such stamps, to denote the said duty, as shall be requisite in that behalf; and to do all other things necessary to be done for putting this act in execution, with relation to the said duty herein-before granted, in the like and in as full and ample manner as they, or the major part of them, are or is authorized to put in execution any former law concerning stamped vellum, parchment, and paper.

The duty to be under the management of the commissioners of stamps.

III. And be it further enacted, That every parson, vicar, or curate, or other person having authority to make entries of burials, marriages, births, or christenings, who shall, from and after the first day of October, one thousand seven hundred and eighty-three, enter any burial, marriage, birth, or christening, in the register for any parish, precinct, or place, in Great Britain, before the parchment, vellum, or paper, on which the entry of such register shall be made, shall have been duly stamped, as by this act is directed, every such parson, vicar, curate, or other person, shall, for every such offence, forfeit the sum of five pounds.

Penalty on parsons, &c. who shall enter any burial, marriage, &c. on unstamped paper.

IV. And be it further enacted, That every parson, vicar, curate, or other person having authority to make the entry of any burial, marriage, birth, or christening, is hereby vested with full power and authority, previous to the making thereof in the register of any parish, precinct, or place in Great Britain, to demand and receive from the undertaker, or other person employed in and about the funeral of any person, so to be buried, or from the parties married, or from the parent of the child whose burial or christening is registered, or other person requiring the registering of such child, the sum of three pence; and if such undertaker, or other person, so employed in and about the funeral, or if the parties so married, or the parent of the child, when bringing the child, whose birth or christening is to be registered, shall neglect or refuse, on demand, to pay the said duty, he, she, or they shall, for every such offence, forfeit and pay the sum of five pounds.

Parsons, &c. empowered to demand 3d. from the undertaker, or persons married, &c.

and if they refuse to pay the same, they shall forfeit 5l.

V. And be it further enacted, That the churchwardens and overseers for every parish, or one of them, shall, from time to time, at occasion shall require, provide one or more book or books for the registering of burials, marriages, births, and christenings,

Churchwardens and overseers to provide one or more book or books with proper stamps for

entering burials, marriages, &c.

christenings, with such stamps for each entry to be made therein, as by this act is required; and shall pay for such book or books, and the stamps to be contained therein, out of the rates under their or his management, and shall, from time to time, receive back the money, which shall be so paid, from the person authorized by this act to demand and receive the duty hereby imposed, on the entry of any burial, marriage, birth, or christening; and in the case of extraparochial places, such book or books, with such stamps as aforesaid, shall be provided, from time to time, by the person whose duty it shall be to make entries of burials, marriages, births, and christenings.

Entry may be made without any stamps by licence from three commissioners, &c. on inspection paying the amount of duties.

VI. Provided always, and be it further enacted, That no parson, vicar, curate, or other person, shall be subject to any the penalties or forfeitures in this act mentioned, for entering, or causing to be entered, any burial, marriage, birth, or christening, in any parish register, without any marks or stamps thereon, where a licence, under the hands of three of the commissioners for the time being appointed to put this act in execution, or some officer or officers by them empowered, shall have been granted, signifying their or his leave or approbation that the entry of any burial, marriage, birth, or christening, to be written in such register may be therein written without any marks or stamps thereon; so as the person or persons, having the custody of such register, do, from time to time, when and as often as he or they shall be thereto required, permit the said commissioners, or any of them, or any officer or agent by them, or the major part of them, for that purpose appointed, to inspect and view such register; and do also, from time to time, when and as often as he or they shall be thereto required by the said commissioners, or the major part of them, or any other by them, or the major part of them, authorized, pay unto the receiver-general for the time being of the said duties, or such other officer or person as the said commissioners, or the major part of them, shall appoint to receive the same, all such sum and sums of money which, according to the true intent and meaning of this act, ought to be paid in respect of all and every such entry and entries as shall be written in such register; any thing herein contained to the contrary thereof notwithstanding.

Not to extend to burials, &c. from any hospital, &c.

VII. Provided also, and be it further enacted, That nothing herein contained shall extend to charge the entry in any parish register of the burial of any person who shall be buried from any workhouse or hospital, or at the sole expence of any charity; nor the entry in any parish register of the birth or christening of any child whose parents shall receive, at the time of the birth or christening of such child, any parish relief.

Not to extend to Quakers.

VIII. Provided always, and be it further enacted, That the provisions of this act, with respect to the register of births, burials, and marriages, shall extend to the people called *Quakers*; and that the registers of births, burials, and marriages, now kept by them, shall be subject and liable to the stamp-duties hereby imposed upon the registers of births, burials, marriages, and

and christenings; any thing herein, or in any other law, contained to the contrary notwithstanding.

IX. And be it further enacted, That the said receiver-general of the stamp-duties at the head office, and the head distributors of stamped vellum, parchment, and paper, or other person or persons duly appointed by the major part of the said commissioners of stamp-duties to receive the duty by this act imposed, shall make an allowance to every parson, vicar, curate, or other person receiving the said duty, as a recompence for his trouble in accounting for the same, at and after the rate of two shillings in the pound, out of the monies by them regularly accounted for, and paid to such receiver-general or head distributor, or such other person or persons as aforesaid, according to the directions herein before contained.

An allowance of 2s. in the pound to be made to parsons, &c. for their trouble.

X. And be it further enacted, That all prosecutions for recovery of the duties hereby granted, as also for all forfeitures and offences made and committed against this act, shall be heard and determined by any justice of the peace residing near to the place where such forfeiture shall be made or offence committed; and if the party finds himself aggrieved by the judgement of any such justice, he shall and may appeal to the justices of the peace at the next quarter sessions, who are hereby authorized and empowered to hear and determine the same, and their judgement therein shall be final: and every such justice is hereby authorized, and strictly enjoined and required, upon complaint or information exhibited and brought for any forfeiture incurred, or offence committed contrary to this act, to summon the party accused, and upon his appearance, or refusal or neglect to appear, to proceed to the examination of the matter of fact; and upon due proof made thereof, either by the voluntary confession of the party, or by the oath of one or more witness or witnesses, to give judgement thereupon, and to award and issue out warrants under his hand for the levying such forfeiture or penalty upon the goods and chattels of the offender; and to cause sale to be made of the said goods and chattels, if they shall not be redeemed within fourteen days, rendering to the party the overplus, if any.

Prosecutions for recovery of duties, &c. to be determined by a neighbouring justice; but appeal may be made to the quarter sessions.

XI. Provided nevertheless, and be it further enacted, That it shall and may be lawful to and for the said justice, where he shall see cause, to mitigate or lessen any such forfeiture or penalty as he shall think fit, reasonable costs to the officers and informers being always allowed over and above such mitigation, and so that such mitigation do not reduce the penalties to less than a moiety of the penalties incurred, over and above the costs.

Justice may mitigate penalties.

XII. And it is hereby further enacted, That all forfeitures and penalties mentioned in this act (all necessary charges for the recovery thereof being first deducted) shall be divided and distributed, one moiety thereof to and for the use of his Majesty, his heirs and successors, and the other moiety to such person and persons who shall inform and sue for the same.

Distribution of penalties.

Receivers of
the duties not
disqualified as
voters.

XIII. And be it further enacted, That no person employed by virtue of this act in receiving or accounting for the duties hereby imposed, shall, merely in respect of this act, be disqualified from voting at any election or elections of members to serve in parliament. any law or statute to the contrary thereof notwithstanding.

Duties to be
paid to the re-
ceiver general
of stamp-
duties, and by
him paid into
the exche-
quer.

XIV. And be it further enacted, That the duties herein before granted shall be paid from time to time into the hands of the receiver-general for the time being of the duties on stamped vellum, parchment, and paper, who shall keep a separate and distinct account of the duties, and pay the same (the necessary charges of raising, paying, and accounting for the same, being deducted) into the receipt of the exchequer, at such time, and in such manner, as the duties now charged on stamped vellum, parchment, and paper, are directed to be paid; and in the office of the auditor of the said receipt, there shall be provided and kept a book or books, in which all the monies arising from the said duties, and paid into the said receipt as aforesaid, shall be entered, separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatsoever: and the said money, so to be paid into the said receipt of exchequer as aforesaid, shall be a fund for the payment of the several annuities, and all such other charges and expences, as are directed to be paid and payable pursuant to an act of this present session of parliament, intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery.*

Application
thereof.

Persons sued
in execution
of this act,
may plead the
general issue,

and shall be
entitled to
treble costs.

XV. And be it further enacted, That if any person or persons shall at any time or times be sued, molested, or prosecuted, for any thing by him or them done or executed in pursuance of this act, or of any clause, matter, or thing, herein contained, such person or persons, and bodies politick or corporate, shall or may plead the general issue, and give the special matter in evidence for his or their defence; and if upon the trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs become nonsuited, then such defendant or defendants shall have treble costs awarded to him or them against such plaintiff or plaintiffs.

C A P. LXVIII.

An act for appointing and enabling commissioners further to examine, take, and state the publick accounts of the kingdom.

20 Geo. 3. c. 54. recited. 21 Geo. 3. c. 45 22 Geo. 3. c. 30. Thomas Anguish, Arthur Piggott, Richard Neave, Samuel Beschowitz, George Drummond, and William Roe, esquires, or any three of them commissioners appointed to examine and state the publick accounts of the kingdom. The recited acts to continue in force after July 12, 1783. No commissioner to hold a civil office of profit during pleasure under his Majesty. Any three of the commissioners to be sworn before the chancellor of the exchequer, &c. The oath.

I A. B. do swear, That, according to the best of my skill and knowledge, I will faithfully, impartially, and truly, execute the several powers and trusts vested in me by an act, intituled, An act for appointing and enabling commissioners further to examine, take, and state the publick accounts of the kingdom; according to the tenor and purport of the said act.

The said three commissioners to administer the oath to the rest. Lords of the treasury may pay 2,000*l* to the order of the commissioners. Application thereof for payment of clerks, messengers, and other officers, and in defraying all other necessary charges, as the commissioners shall appoint. Executors of accountants to attend commissioners and execute their orders. Continuance of this act, one year from July 22, 1783, and no longer.

C A P. LXIX.

An act to enable the adjutant general of his Majesty's forces, and the comptrollers of army accounts, to send and receive letters and packets free from the duty of postage.

WHEREAS by an act, made in the fourth year of the reign of Preamble.
his present Majesty, (intituled, An act for preventing frauds Recital of
and abuses, in relation to the sending and receiving of letters 4 Geo. 3.
and packets free from the duty of postage,) it is enacted, That, c. 24.
from and after the first day of May, one thousand seven hundred and
sixty-four, so long as the revenue arising in the general letter office,
or post-office, or office of post master general, shall continue to be made
part of the aggregate fund, no letters or packets sent by the post to or
from any place whatsoever, shall be exempted from paying the duty of
postage, except such letters and packets as are therein particularly
excepted: and whereas the privilege of sending and receiving letters
and packets, free from the duty of postage, is not, by the said act, ex-
tended to the adjutant general of his Majesty's forces for the time
being, nor to the comptrollers of army accounts for the time being,
who, by virtue of their respective offices, necessarily send and receive
many letters and packets relating to the publick concerns of these king-
doms; may it therefore please your Majesty that it may be en-
acted; and be it enacted by the King's most excellent majesty,
by and with the advice and consent of the lords spiritual and
temporal, and commons, in this present parliament assembled,
and by the authority of the same, That, from and after the
passing of this act, the said adjutant general of his Majesty's
forces for the time being, and the comptrollers of army ac-
counts for the time being, shall and may send and receive
letters and packets free from the duty of postage, in the same
manner, and under such restrictions, as other officers men-
tioned in the said act are thereby permitted, in respect of
their offices, to send and receive the same in pursuance of the
said act.

Adjutant ge-
neral, and
comptrollers
of army ac-
counts, may
send and re-
ceive letters
free from
postage.

C'A P. LXX.

An act for the more effectual preventing the illegal importation of foreign ſpirits, and for putting a ſtop to the private diſtillation of Britiſh made ſpirituous liquors; for explaining ſuch part of the act, impoſing a duty upon male ſervants, as relates to the right of appeal from the juſtices of the peace; to amend and rectify a miſtake in an act of the laſt ſeſſion of parliament, with reſpect to the removal of tea from one part of this kingdom to other parts, there- of; and for preventing vexatious actions againſt officers of cuſtoms acting in purſuance of the authority given by ſeveral ſtatutes.

Preamble.

From Sept. 29. 1783. no dealer in foreign ſpirituous liquors, within the limits of the exciſe office, (not being a licenſed retailer,) ſhall make entry of any warehouse, &c. for keeping foreign ſpirits, unleſs he be aſſeſſed for a tenement of 12 l. per ann. &c. nor in any other part of the kingdom, unleſs he pay to church and poor,

WHEREAS the illegal importation of foreign ſpirits is greatly promoted by ſiſtitious entries of ſtorehouſes and other places for keeping ſuch liquors, made by evil-minded and indigent perſons: for remedy thereof, be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the twenty-ninth day of September, one thouſand ſeven hundred and eighty-three, no ſeller, of, or dealer in, foreign ſpirituous liquors, reſiding within the limits of the head office of exciſe in London, (not being a retailer thereof duly licenſed thereunto,) ſhall be permitted to make entry of any warehouse, ſtorehouſe, room, ſhop, cellar, vault, or other place, by him, her, or them, intended to be made uſe of for the keeping of foreign brandy, arrack, rum, ſpirits, or ſtrong waters, unleſs ſuch ſeller or dealer, at the time of making ſuch entry, ſhall occupy and inhabit a tenement or tenements of the yearly value of twelve pounds, or upwards, and for which he, ſhe, (or they, if partners,) ſhall be aſſeſſed in his, her, or their own name or names, and ſhall alſo pay to the pariſh rates; and that no ſuch ſeller or dealer, reſiding in any other part of the kingdom where there are rates to church and poor, ſhall be permitted to make any ſuch entry, unleſs ſuch ſeller or dealer ſhall be aſſeſſed and pay to church and poor in the ſeveral pariſhes and places in which they ſhall reſpectively reſide; and that no entry of any warehouse, ſtorehouſe, room, ſhop, cellar, vault, or other place, for keeping of foreign brandy, arrack, rum, ſpirits, or ſtrong waters, already made or hereafter to be made, as directed and required by the ſtatutes in that caſe made and provided, ſhall be of any avail to any ſuch ſeller or dealer (not being a retailer of ſpirituous liquors, and duly licenſed thereof) nor ſo qualified, or for any longer term than ſuch ſeller or dealer, ſo making ſuch entry, ſhall be qualified as aforeſaid; and every perſon (not being ſuch retailer licenſed as aforeſaid) ſelling or dealing in foreign brandy, arrack, rum, ſpirits, or ſtrong waters, not qualified as aforeſaid, ſhall, notwithstanding any entry by him, her, or them made, be deemed and taken to be ſeller of and dealers in foreign brandy, arrack, rum, ſpirits, and ſtrong waters, without entry, and ſhall be ſubject to the like

like penalties and forfeitures as ſellers of and dealers in brandy, arrack, rum, ſpirits, and ſtrong waters, without entry, are, by the ſtatutes in ſuch caſe made and provided, now ſubject unto.

II. And be it further enacted by the authority aforeſaid, That, from and after the ſaid twenty-ninth day of *September*, where any entry ſhall be made, by any ſeller of or dealer in brandy, arrack, rum, ſpirits, or ſtrong waters, of any warehouse, ſtorehouſe, room, ſhop, cellar, vault, or other place, for the keeping of foreign brandy, arrack, rum, ſpirits, or ſtrong waters, no other ſeller or dealer in ſuch ſpirituous liquors, (not being a joint trader or partner with ſuch ſeller or dealer,) however qualified, ſhall, on any pretence whatſoever, make entry of the ſame, or of any other warehouse, ſtorehouſe, room, ſhop, cellar, vault, or other place whatſoever, within the ſame houſe or tenement in which the entry of any ſuch other ſeller or dealer ſhall then be exiſting; but every ſuch ſeller or dealer making ſuch further entry of the ſame, or any other ſuch warehouse, ſtorehouſe, ſhop, room, cellar, vault, or other place, in ſuch ſame houſe or tenement, ſhall, notwithstanding ſuch further entry by him, her, or them made, be deemed and taken to be a ſeller of and dealer in foreign brandy, arrack, rum, ſpirits, and ſtrong waters, without entry, and ſhall be ſubject to the like penalties and forfeitures as ſellers of and dealers in foreign brandy, arrack, rum, ſpirits, and ſtrong waters, without entry, are now ſubject unto.

No entry to be made of two rooms in the ſame houſe for keeping of foreign ſpirits.

III. And, the better to prevent foreign ſpirituous liquors, that have been illegally imported into this kingdom, from being removed from the ſea coaſts into the ſtocks of entered dealers in thoſe commodities, and of others, be it enacted by the authority aforeſaid, That, from and after the ſaid twenty-ninth day of *September*, no ſeller of or dealer in foreign brandy, arrack, rum, ſpirits, or ſtrong waters, ſhall be allowed to take out more than one permit in one and the ſame day to any one perſon whatſoever, (except, as herein-after is excepted,) which permit ſhall be granted for the removal of no more than one caſk, or other package, containing any foreign ſpirituous liquors of one kind, or ſpecies; and if any more than one caſk, or other package, of foreign ſpirituous liquors of one kind or ſpecies at one time, directed to one and the ſame perſon, (or perſons, where there are two or more in joint trade or partnership, except as herein-after is excepted,) ſhall be found removed or carried, or removing or carrying, from one place in this kingdom to any other place, whether with or without permit, the ſame, together with the veſſels and boats, and the horſes and other cattle, and the carriages employed in removing or carrying the ſame, ſhall be forfeited, and ſhall and may be ſeized by any officer or officers of exciſe.

Directions relative to taking out permits, and removing foreign ſpirits.

IV. Provided always, and be it further enacted by the authority aforeſaid, That nothing herein contained ſhall be conſtrued to prevent any dealer in foreign ſpirituous liquors from taking

Several permits may be taken out and out

Cask, sent the same day, so as each cask is sent under a different permit, &c.

Not to prevent dealers sending with one permit, &c. any number of casks of 60 gallons each, &c.

Foreign spirits in casks of less than 60 gallons, found removing at any time contrary to the Act, shall be forfeited, with the cattle and carriages.

Particulars to be specified in request notes for permits.

out two or more permits, and, by virtue thereof, sending two or more casks, or other packages, containing foreign spirituous liquors of the same kind and species, to the same person, in the same day, so as each and every such cask or package respectively shall be sent under different permits, and by different conveyances.

V. Provided also, and be it further enacted, That nothing herein-before contained shall be construed to prevent any seller of or dealer in foreign spirituous liquors, from sending with one and the same permit, by one and the same conveyance, any number of casks with any kind of foreign spirituous liquors therein, each such cask then containing sixty gallons, or upwards, of foreign spirituous liquors of one and the same kind or species.

VI. And be it further, enacted by the authority aforesaid, That if any foreign spirituous liquors (not being in casks containing sixty gallons, or upwards,) shall be found removing or carrying from any one part of this kingdom to any other part thereof, unless at such times as herein-after mentioned, that is to say, from the twenty-ninth day of *September* to the twenty-fifth day of *March*, yearly, between the hours of seven in the morning and five in the evening; and from the twenty-fifth day of *March* to the twenty-ninth day of *September*, yearly, between the hours of five in the morning and seven in the evening, (except the same is carrying by a known common stage coach, waggon, or other stage carriage, which usually travels, out of those hours,) all the said foreign spirituous liquors, and the package containing the same, whether the same be accompanied with or without a permit, and all the cattle and carriages made use of in the removing or conveying the same, shall be forfeited, and shall and may be seized by any officer or officers of excise.

VII. And be it further enacted by the authority aforesaid, That, from and after the said twenty-ninth day of *September*, when any seller of or dealer in foreign spirituous liquors, shall send a request note to any permit writer, requiring any permit or permits for the removal of any foreign spirituous liquors from his own stock into the stock of any other person or persons, every such seller and dealer shall, and he is hereby required and directed to specify, in every such request note, as well the quality or kind of foreign spirituous liquors, intended to be removed with each permit, as also the contents of the cask or other package containing the same, and likewise whether the same is to be removed by land or by water, and by what mode of conveyance the said cask, bottle, or other package respectively, is intended to be sent; and if any seller of or dealer in foreign spirituous liquors, shall neglect or refuse to specify, in every such request note, either the quality of the spirituous liquors intended to be removed, or the contents of the cask, bottle, or other package containing the same; or by what carriage, or mode of conveyance, the same is intended to be sent, every

every such request note and notes shall be null and void; nor shall any permit or permits be granted by any officer or permit writer thereon.

VIII. And whereas, for the better securing the duties chargeable upon exciseable commodities, the dealers therein are, by several statutes now in force, required to take out permits from the proper officers of excise, certifying that those duties have been paid, which permits are to accompany such commodities when removing from one part of this kingdom to any other part thereof: and whereas great frauds have been committed by forging permits in imitation of those granted by such officers, and the penalties already provided to prevent such forgeries are not sufficient to suppress so great an evil; for the more effectual preventing such practices, so manifestly tending to the ruin of the fair trader, and to the diminution of so material a branch of the revenue of this kingdom, be it enacted by the authority aforesaid, That the respective commissioners of excise in England and Scotland shall, on or before the said twenty-ninth day of September, provide, or cause to be provided, moulds or frames for the making of paper to be used for permits, which paper shall have the words *Excise office* visible in the substance of such paper; and shall also provide, or cause to be provided, one or more plate or plates, engraved with certain marks, stamps, and devices, in manner as to them shall seem meet, (which marks, stamps, and devices, on the said plates, or any of them, may from time to time be varied or altered in such manner, and as often as the said commissioners for the time being respectively shall think necessary), for the printing, stamping, and marking the said paper; and all permits from thenceforth to be given or granted, by the respective officers for the several duties of excise and inland duties, for the removal of any exciseable commodity, shall be printed, stamped, and marked by the said plate or plates on paper so made, with the words *Excise office* visible in the substance thereof; which said paper shall be made, and the said plate or plates shall be engraved, by such person and persons respectively as are now, or hereafter shall be, appointed by the said commissioners of excise, or the major part of them, from time to time, under their respective hands and seals, for those purposes; and as well the said paper so made, as also the said plate or plates so engraved as aforesaid, shall be kept by such officer or officers as shall from time to time be appointed by the said commissioners, or the major part of them respectively, for keeping the same: and the officer or officers to be appointed for printing permits, shall not print, stamp, or mark any paper whereon any permit or permits shall be given or granted for the removal of any exciseable commodity, but on the paper so provided as aforesaid, and having the words *Excise office* visible in the substance of such paper.

Commissioners for England and Scotland, on or before Sept. 29, 1783, to provide moulds for making of paper to be used for permits, &c.

No permits to be granted on any other paper.

IX. And be it further enacted by the authority aforesaid, That, All persons from and after the said twenty-ninth day of September, if any person or persons whatsoever (not being authorized by the respective

who shall make any mould, &c.

for making
ſuch paper as
aforeſaid,

or aſſiſt in
making ſuch
paper, &c.

unless ap-
pointed by
the commiſ-
ſioners of ex-
ciſe,

ſhall ſuffer
death as fe-
lons.

Perſons coun-
terfeiting per-
mits,

or giving or
receiving any
faſe permit,

or altering
any granted
by the proper
officer,

ſhall forfeit
ſeal.

ſpective commiſſioners of exciſe in *England and Scotland* ſo to do) ſhall make, or cauſe or procure to be made, or ſhall knowingly aid or aſſiſt in the making, or without being authorized or appointed as aforeſaid, ſhall knowingly have in his, her, or their cuſtody or poſſeſſion, without lawful excuſe, (the proof whereof ſhall lie on the perſon accuſed), any frame, mould, or instrument, for the making of paper with the words *Excise office* viſible in the ſubſtance of ſuch paper; or ſhall make, or cauſe or procure to be made, or knowingly aid or aſſiſt in the making, any paper, in the ſubſtance of which the words *Excise office* ſhall be viſible; or if any perſon (except as before excepted) ſhall, by any art, myſtery, or contrivance, cauſe or procure the ſaid words *Excise office* to appear viſible in the ſubſtance of any paper whatever; or if any perſon or perſons whatever (not being appointed as aforeſaid) ſhall engrave, caſt, cut, or make, or ſhall cauſe or procure to be engraven, caſt, cut, or made, any plate or plates, or other thing, with any mark, ſtamp, or device thereon, in imitation of, or to reſemble any mark, ſtamp, or device, made and uſed by the direction of the ſaid commiſſioners of exciſe, or the major part of them, reſpectively, in manner as aforeſaid, for the purpoſe of printing, ſtamping, and marking of the paper to be uſed for a permit or permits, to accompany any exciſeable commodity or commodities removing or removed from one part of this kingdom to any other part thereof, in purſuance of the directions of the ſeveral ſtatutes requiring ſuch permit; every perſon ſo offending, in any of the caſes aforeſaid, and being thereof lawfully convicted, ſhall, for ſuch offence, be deemed and adjudged a felon, and ſhall ſuffer death, as in caſes of felony, without benefit of clergy.

X. And be it further enacted by the authority aforeſaid, That, from and after the ſaid twenty-ninth day of *September*, if any perſon or perſons whatſoever ſhall counterfeit or forge, or cauſe to be counterfeited or forged, any permit for the removal of any exciſeable commodity from one part of this kingdom to any other part thereof, for the removal of which a permit or certificate is by any act or acts of parliament now in force required; or if any perſon or perſons ſhall knowingly or willingly give any falſe or untrue permit, or ſhall knowingly or willingly accept or receive any falſe or untrue permit with any ſuch exciſeable commodity to be removed or removed as aforeſaid; or if any perſon or perſons ſhall fraudulently alter or erase any permit, after the ſame ſhall have been given or granted by the proper officer of exciſe; or if any perſon or perſons ſhall knowingly or willingly publiſh or make uſe of any ſuch permit ſo counterfeited, forged, falſe, untrue, altered, or erased; every perſon ſo offending ſhall (in lieu of any former penalty), for each and every ſuch offence, forfeit and loſe the ſum of five hundred pounds; which forfeitures ſhall and may be proſecuted in any of his majeſty's courts

of

of record at *Westminſter*, or in the court of exchequer in *Scotland*.

XI. And be it further enacted by the authority aforeſaid, That, from and after the ſaid twenty-ninth day of *September*, if any officer of exciſe or other inland duties, ſhall deliver out, or ſuffer to be delivered out, any paper having the words *Exciſe office* viſible in the ſubſtance thereof, either before or after the ſtamp or mark, ſo to be provided as aforeſaid, ſhall be printed thereon, or before the ſame ſhall be filled up, agreeable to the requeſt note brought from any trader, for the purpoſe of having a permit for the removal of ſome exciſeable commodity; or if any ſuch officer ſhall knowingly give or grant any falſe or untrue permit, or ſhall make any falſe or untrue entry in the counterpart or counterparts of any permit or permits, by him given or granted for the removal of any exciſeable commodity from the ſtock of any dealer therein; or ſhall knowingly and willingly receive or take any exciſeable commodity whatſoever into the ſtock of any ſuch dealer, brought in with any falſe, forged, or untrue permit, or ſhall knowingly permit or ſuffer the ſame to be done, directly or indirectly, contrary to the true intent and meaning of the ſeveral ſtatutes in ſuch caſe made and provided, every ſuch officer ſo offending being thereof lawfully convicted, ſhall be adjudged guilty of felony, and ſhall be transported, in like manner as other felons are directed to be transported, by the laws and ſtatutes of this realm, for any time not exceeding ſeven years.

Penalty on exciſe officers delivering out paper for permits improperly,

or granting falſe permits, &c.

XII. And be it further enacted by the authority aforeſaid, That upon every action, bill, plaint, or information, entered or filed in any of his Maſteſty's courts of record at *Westminſter*, or court of exchequer in *Scotland*, for the ſaid penalty of five hundred pounds, a *capias* in the firſt proceſs ſhall and may iſſue, ſpecifying the ſaid penalty; and the defendant or defendants ſhall be obliged to give ſufficient bail, by natural-born ſubjects, perſons naturalized, or denizens, to the perſon or perſons to whom ſuch *capias* ſhall be directed, to appear in the court out of which ſuch *capias* ſhall iſſue, at the day of the return of ſuch writ, to answer ſuch ſuit or proſecution; and ſhall likewiſe, at the time of ſuch appearance, give ſufficient bail or ſecurity, by ſuch perſons as aforeſaid, in the ſaid court, to answer and pay the ſaid forfeiture of five hundred pounds, in caſe he or they ſhall be convicted thereof, or to yield his, her, or their bodies to priſon.

Upon every action entered in any court of record at *Westminſter*, &c. for the penalty of 500l. a *Capias* ſhall iſſue.

Defendant to give bail for his appearance, and alſo to pay the penalty, &c.

XIII. And whereas, notwithstanding the many laws already made to prevent the private diſtillation of low wines and of ſpirits, evil-minded perſons do privately make ſpirits; now for the better deteſting ſuch perſons, be it enacted by the authority aforeſaid, That, from and after the ſaid twenty-ninth day of *September*, in caſe any officer or officers of exciſe ſhall know, or have cauſe to ſuſpect, that any private or concealed ſtill, back, or other veſſel, ſpirits, low wines, waſh, or other materials, are preparing private ſtill,

From Sep 29, 1783, if any officer ſhall know of or ſuſpect any preparing private ſtill,

&c. within the limits of the lead office, and make oath thereof before a justice, or the commissioners;

or in any other part of Great Britain, and shall make oath thereof before a justice of the county, &c.

the said commissioners or justices may grant a special warrant to break open such suspected house, and to seize such stills, spirits, &c.

and if not claimed, by the owner, within ten days, the same shall be forfeited, and the proprietor, &c. shall pay 200l. for every such place, and still, &c. found therein.

Penalty on obstructing officers in seizing private stills, &c.

preparing for distillation, are set up or kept in any house or place; then, and in such case, if such house or place shall be within the limits of the chief office of excise, upon oath made by such officer or officers before one or more justice or justices of the peace of the county, city, or liberty, where such house or place shall be, or before the commissioners of excise, or any two or more of them; or, in case the same shall be in any other part of Great Britain, upon oath made by such officer or officers, before one or more justice or justices of the peace of the county, riding, division, or place, where such officer or officers shall suspect the same to be set up and kept, setting forth the ground of such his or their suspicion; it shall and may be lawful to and for the said commissioners of excise, or justice or justices of the peace respectively, before whom such affidavit or affidavits shall be made, if he or they shall judge it reasonable, by special warrant under his or their respective hands and seals, to authorize and empower such officer or officers, by day or by night, (but if in the night time, then in the presence of a constable, or other lawful officer of the peace, who are hereby required to be aiding and assisting therein), to break open the doors or any part of such house or place, where he or they shall so know or suspect such private or concealed still, back, or other vessel, spirits, low wines, wash, or materials for distillation, are so set up and kept, and to enter into such house or place, and to seize all and every such stills, backs, or other vessels, and all such spirits, low wines, wash, and other materials preparing for distillation, which he or they shall find and discover, and either to detain and keep the same in the house or place where found, or to remove the same to the office of excise next to the place where the same shall be so discovered and found; and in case the same shall not, within ten days next after such seizure, be claimed by the true and lawful owner thereof, then the said stills, backs, and other vessels, spirits, low wines, wash, and other materials for distillation, shall be absolutely forfeited, and the proprietor of any such private or concealed still, back, or other vessel, or the person in whose custody the same shall be found, shall forfeit and lose, for every place in which every such private still, back, or other vessel, shall be so found, and also for every such still, back, and vessel, found therein, the sum of two hundred pounds; and if any person or persons shall obstruct, oppose, molest, or hinder, any officer or officers of excise, or others acting in their assistance, in the due seizing any such private or concealed stills, backs, or other vessels, spirits, low wines, wash, or other materials for distillation, or in detaining or keeping the same in the place where found, or in removing the same, or any of them, after seizure, to the next office of excise as aforesaid; then, and in every such case, every person so offending shall forfeit the sum of two hundred pounds.

XIV. And, in order to deter persons from aiding or assisting
the

the proprietors of such private stills in carrying on their fraudulent practices, be it further enacted by the authority aforesaid, That, ^{From Sept. 29, 1783, any} from and after, the said twenty-ninth-day of September, when ^{person who} any officer or officers of excise shall at any time discover ^{shall be found} and find any private or concealed still, back, or vessel, for ^{aiding and as-} the making, preparing, or keeping of wash, low wines, or ^{sisting in any} spirits, or other materials preparing for distillation, and shall ^{private distil-} at the same time discover in the room or place where such ^{lation, shall} private still, back, or other vessel, shall be so found, any per- ^{forfeit 30l.} son or persons knowingly aiding, assisting, or anyways concerned in carrying on such private distillation, every such person and persons so discovered, shall (over and above all other penalties and forfeitures that the proprietor, or person in whose custody or possession the same shall be found, is now subject and liable unto) forfeit and lose the sum of thirty pounds; and it shall and may be lawful for the officer and officers of excise, and all other persons acting in their aid and assistance, to stop, arrest, and detain, all and every the person and persons so discovered in such room or place, and to convey the said person and persons before one or more justice or justices of the peace for the county, riding, division, city, or liberty respectively, wherein such persons shall be so discovered as aforesaid; and it shall and may be lawful to and for such justice or justices of the peace respectively, on confession of the party, or by proof on the oath of one or more credible witness or witnesses made of such offence, to convict the person or persons so discovered as aforesaid: and the person or persons so convicted shall, immediately on such conviction, pay the said sum of thirty pounds, into the hands of the officer who shall have conveyed such offender before such justice or justices of the peace, to be applied in manner as herein-after is directed; and on such offender or offenders refusing or neglecting to pay the said sum of thirty pounds, the justice or justices so convicting as aforesaid shall and may, by warrant or warrants under his or their hand and seal, or hands and seals, commit the offender or offenders to the house of correction for the said county, riding, division, city, or liberty respectively, there to remain and be kept to hard labour for the space of six months, to be reckoned from the day of such conviction, and the person or persons so committed shall not be discharged until he, she, or they, shall have paid the said sum of thirty pounds, or until the expiration of the said six months; and in case the person or persons so convicted shall be again discovered in any room or place where any private still, back, or other vessel, shall be discovered and found as aforesaid, aiding, assisting, or otherwise concerned in carrying on any private distillery, he, she, or they, so again offending, shall, upon the like conviction, forfeit and pay, for such second offence, the sum of sixty pounds, and shall be committed to the house of correction in manner aforesaid, there to remain for and during

and shall be carried before a justice.

On default of paying the penalty, offender to be committed.

Penalty on second offence.

th

the term of one year, or until the said sum of sixty pounds shall be paid.

XV. *And the more effectually to prevent the removal of spirits, that have been privately distilled, from the places where made to the houses of rectifiers and compounders of spirits,* be it further enacted by the authority aforesaid, That, from and after the said twenty-ninth day of September, it shall and may be lawful to and for the officers of excise, and they and each of them, and are hereby required to seize all and every horse and other cattle, and all carriages and boats whatsoever, made use of or employed in the removing, carrying, or conveying *British* made spirituous liquors from one part of this kingdom to any other part thereof, unless the *British* made spirits so removing, carrying, or conveying, shall be accompanied with such authentick permits or certificates from some or one of the officers of his Majesty's revenue of excise; as by the several statutes in such case made and provided are directed to accompany the same when removing as aforesaid; which seizures of horses, cattle, carriages, and boats, shall and may be proceeded upon, heard, and determined, by such ways, means, and methods, as other seizures made by the officers of excise may now be proceeded upon, heard, and determined, by any law or laws relating to his Majesty's revenue of excise.

From Sep. 29, 1783, all horses, carriages, &c. employed in removing *British* spirits, without a proper permit, may be seized.

Before Sept. 29, 1783, distillers to demolish their trunks or close vessels for receiving wash, &c.

on penalty of 100l.

Distillers, &c. to take away all pipes fastened to the end of their still worms,

XVI. *And whereas great frauds have been and may be carried on by means of trunks and other close vessels set up by distillers and makers of low wines and of spirits, for receiving wash and other materials fit for distillation from the wash-backs, and other utensils, before the same is pumped up into their still or stills;* be it enacted by the authority aforesaid, That, every distiller and maker of low wines or of spirits, whether for sale or for exportation, having or keeping any trunk or other close vessel or utensil for receiving or keeping wash, or other materials fit for distillation, shall, before the said twenty-ninth day of September, take up, demolish, or convert into open vessels, every such trunk and other close vessel or utensil; and that no distiller or maker of low wines or of spirits, from and after the said twenty-ninth day of September, shall erect, set up, have, or keep, any trunk, or any other close vessel or utensil, for receiving, keeping, or making wash, or other materials preparing for distillation, on pain to forfeit, for every such trunk, or other close vessel and utensil, so erected, set up, kept, or continued, after the said twenty-ninth day of September, the sum of one hundred pounds; and, to the end that the officers of excise may be able to take and examine the quality of the low wines and of the spirits coming from the still or stills of every distiller and maker of low wines and of spirits, whether for sale or for exportation, compounder and rectifier of spirits, every such distiller and maker, rectifier and compounder, shall, before the said twenty-ninth day of September, cut off or take away all pipes or other conveyances already fixed or fastened to the end of the worms belonging to their respective still and stills; and from and after

the ſaid twenty-ninth day of *September*, no ſuch diſtiller, maker, rectifier, or compounder, ſhall fix or faſten, or ſuffer to be fixed or faſtened, any pipe or other conveyance to the end of any worm belonging to any of their ſtill or ſtills, but ſhall leave the end of the worm belonging to each and every of his and their reſpective ſtill and ſtills open and free for the officers of exciſe to taſte and examine the low wines and ſpirits reſpectively coming from every ſuch ſtill and ſtills; and the low wines and ſpirits ſo coming from the ends of the ſaid reſpective worms ſhall openly and publickly run into an open ſafe, or other open veſſel kept for that purpoſe, and the ſame ſhall reſpectively be conveyed from ſuch ſafe, or other open veſſel, into the low wine caſk, or ſpirit caſk, as the caſe may be; and if any ſuch diſtiller, maker, rectifier, or compounder, ſhall neglect to take away, or cut off, all ſuch pipes or other conveyances as ſhall be ſo fixed or faſtened to the end of the worm, to each of his, her, or their ſtill or ſtills reſpectively belonging, as herein-before directed; or ſhall, after the ſaid twenty-ninth day of *September*, fix or faſten, or cauſe or ſuffer to be fixed or faſtened, any pipe or other conveyance to the end of any worm of any ſtill to him, her, or them reſpectively belonging, or ſhall run their low wines or ſpirits from the end of the worms of their reſpective ſtill or ſtills into any other veſſel than the ſafe, or other open publick veſſel kept for that purpoſe, or ſhall not convey the ſame reſpectively from ſuch ſafe, or other open veſſel, into the low wines caſk, or ſpirits caſk, as the caſe may be; every ſuch diſtiller, maker, rectifier, and compounder, ſo offending, ſhall, for each offence, forfeit and loſe the ſum of one hundred pounds. on penalty of 100l.

• XVII. And be it further enacted by the authority aforeſaid, That, from and after the ſaid twenty-ninth day of *September*, the diſcharge-cocks belonging to each and every ſtill of every diſtiller and maker of low wines or of ſpirits, whether for ſale or exportation, ſhall be ſo placed and fixed in the body of the reſpective ſtills as that the officers of exciſe may have free and convenient acceſs to the ſame; and for that purpoſe every ſuch diſcharge-cock ſhall be continued in a ſtraight line from the body of the ſtill to which it is fixed, and ſuch diſcharge-cock ſhall not, in any caſe, project more than three feet from the body of any ſuch ſtill, nor more than eighteen inches from the brick-work, or other materials whereon the ſaid reſpective ſtill or ſtills ſhall be erected or placed; and if any diſtiller or maker of low wines, or of ſpirits, ſhall fix or place the diſcharge-cock of any ſtill, to him, her, or them belonging, otherwiſe than as herein is directed, he, ſhe, or they ſhall, for every ſuch offence, forfeit the ſum of one hundred pounds. Diſcharge-cocks to be fixed in the body of the ſtills to which they belong &c. on penalty of 100l.

XVIII. And be it further enacted by the authority aforeſaid, That, from and after the ſaid twenty-ninth day of *September*, the keys of every charging-cock, and of every diſcharge-cock, ſhall be made uſe of by any diſtiller or maker of low wines and ſpirits, whether for ſale or for exportation, or by any rectifier. Keys of diſcharge-cocks, &c. how to be made.

tifier or compounder of spirits, for charging or for discharging
 and emptying any still or stills, or other entered utensil by him,
 her, or them respectively made use of, shall be had, made,
 and constructed in manner following, and in no other form or
 manner whatever; that is to say, The key of each, and every
 such cock shall be made with an open eye or hole in the top
 part thereof, and every such eye or hole shall be of such a
 size, as to be capable of receiving a lever, sufficient to turn
 the respective cock or cocks, at all times when the officers
 shall have occasion to turn the same in the execution of the
 powers and authority to them given for that purpose, by the
 several statutes in such case made and provided; and every
 such key of every such cock and cocks, shall be of one piece,
 and solid to the bottom, and so rivetted into the cock of which
 it is a part as to prevent the same from being taken out of the
 body of the said cock; and such charging-cocks and discharge-
 cocks respectively, shall not have any hole or place of dis-
 charge, but at the mouth only; and no distiller or maker of
 low wines or spirits, rectifier or compounder of spirits, shall,
 for any purpose, or on any pretence whatsoever, fix or place,
 or suffer to be fixed or placed, any grate, strainer, or any other
 thing whatsoever, on or before the mouth of any such charge-
 cock, or of any such discharge-cock; but the mouths of each
 and every such cock shall be left free and clear from every
 thing that can or may prevent the officers of excise from
 searching and examining the inside of the mouth or opening
 of each and every such cock and cocks, and if any such dis-
 tiller or maker, rectifier or compounder, shall make use of, or
 shall fix or place any charge-cock, or discharge cock, to any
 of his still or stills, or to any other of his entered utensils, of
 any other construction or make than, hat herein-before men-
 tioned; or shall at any time fix or place any thing whatsoever
 on or before the mouth or opening of any such cock, whereby
 the officer shall or may be prevented from searching and ex-
 amining the inside thereof; then, and in every such case, every
 such distiller, maker, rectifier, and compounder, shall, for each
 offence respectively, forfeit the sum of one hundred pounds.

Mouths of
 such cocks to
 be left free.

Penalty on
 default.

When any
 still shall
 cease to be
 worked, the
 head thereof
 shall be taken
 off,

on forfeiture
 of 100l.

XIX. And be it further enacted by the authority aforesaid,
 That, from and after the said twenty-ninth day of *September*,
 every rectifier and compounder of spirits shall take off, or cause
 to be taken off, the head and heads of each and every still and
 stills to him belonging, when and as soon as any such ~~still~~ or
 stills shall cease to be worked; and the head or heads of such
 still or stills shall in no case, nor on any pretence, or on any
 account, be put on such still or stills, until each such still shall be
 again charged and ready to work, nor until the officer shall
 have examined the quality of the spirits then in each such still;
 and if any such rectifier or compounder shall neglect to take off
 each and every head and heads from each respective still and
 stills, when and so soon as each such still shall cease to be worked,
 or shall in any case, or on any pretence or account whatsoever,

put on any ſuch head or heads, on any of his ſtill or ſtills, before ſuch ſtill or ſtills ſhall be charged and ready to work, and before the officer ſhall have examined the quality of the ſpirits then in the ſtill, he, ſhe, or they ſo offending ſhall for each offence, forfeit the ſum of one hundred pounds.

XX. *And whereas the opening of the furnace doors of the ſtills belonging to compounders and rectifiers of ſpirits, before the ſtills are actually charged, and the heads of ſuch ſtills are put on, has given opportunities for fraud; for preventing of ſuch frauds, be it enacted by the authority aforeſaid, That, from and after the ſaid twenty-ninth day of September, whenever the officer of exciſe ſhall have received a notice (as directed by the ſtatute in that caſe made) for opening the furnace door of any ſtill or ſtills belonging to any rectifier or compounder of ſpirits, and ſhall attend for that purpoſe, ſuch officer ſhall not on any pretence open the furnace door of any ſuch ſtill or ſtills, but of ſuch as are at that time fully charged, nor until he hath examined the contents of ſuch ſtill or ſtills, and hath ſeen the head or heads of ſuch ſtill or ſtills reſpectively actually put on and ready to be locked down; nor ſhall ſuch officer, when attending on any ſuch notice at the ſtill-houſe of any ſuch rectifier or compounder, be obliged to continue there more than one hour at any one time; and if ſuch rectifier or compounder ſhall not within that time have charged the ſtill or ſtills mentioned in that notice, and have put on the head or heads of the ſaid ſtill or ſtills, ſo as they be ready to be locked down, every ſuch rectifier and compounder ſhall be obliged to give another like notice in writing, before the officer ſhall be obliged to attend again to open the furnace door or doors of his, her, or their ſtill or ſtills; any law, cuſtom, or uſage, to the contrary notwithstanding.*

Directions relative to officer's attendance for opening the furnace door of ſtills belonging to rectifiers, &c.

XXI. *And, that the officers of exciſe may be the better enabled to examine the contents of every ſtill and ſtills, to any diſtiller or maker of low wines and ſpirits, whether for ſale or exportation, rectifier, or compounder of ſpirits, belonging, and to take ſtill gauges thereof, be it enacted by the authority aforeſaid, That, from and after the ſaid twenty-ninth day of September every diſtiller and maker of low wines and ſpirits, and every compounder and rectifier of ſpirits, ſhall provide proper ladders whereby the officers of exciſe may get to the top of each ſtill to every ſuch diſtiller, maker, compounder, and rectifier reſpectively belonging; and every ſuch diſtiller, maker, compounder, and rectifier, or ſome perſon on their behalf, ſhall be aiding and aſſiſting to the ſaid officer in ſetting up the ladder, and in examining the contents of every ſuch ſtill, and in taking ſtill gauges thereof; and if any ſuch diſtiller, maker, compounder, or rectifier, reſpectively, ſhall neglect to provide proper ladders for the purpoſes aforeſaid, or ſhall not by himſelf, or by ſome other on his behalf, aſſiſt the ſaid officers in ſetting up the ladder, and in taking the account and ſtill gauges as aforeſaid; or ſhall, by any means whatever, hinder or obſtruct*

Diſtillers to provide proper ladders to enable officers to get to the top of their ſtills; and to aſſiſt them in ſetting up the ladder, &c.

on penalty of 200l.

the officer or officers of exciſe ſom examining the contents of each ſuch ſtill, or in taking the gauge thereof; then, and in every ſuch caſe, the diſtiller, maker, compounder, or rectifier, ſo offending, ſhall, for each offence, forfeit the ſum of two hundred pounds.

XXII. *And, for the further preventing frauds,* be it enacted by the authority aforeſaid, That, from and after the ſaid twenty-ninth day of *September*, it ſhall and may be lawful for every officer of exciſe, and they are hereby impowered to take at any time or times, a ſample or ſamples of the waſh, in any waſh-back or other veſſel belonging to any diſtiller or maker of low wines and ſpirits, either for ſale or exportation, not exceeding twelve gallons in the whole, out of each ſuch waſh-back or other veſſel, paying for ſuch waſh after the rate of one ſhilling and ſixpence *per* gallon; and in caſe any ſuch diſtiller or maker of low wines and ſpirits, or any workman or ſervant to him or them belonging, ſhall reſuſe to permit ſuch officer or officers to take ſuch ſample or ſamples as aforeſaid, upon his or their offering to pay for the ſame after the rate aforeſaid, or ſhall any ways obſtruct or hinder him or them in taking ſuch ſample or ſamples, ſuch diſtiller, or maker ſhall, for each offence reſpectively, forfeit the ſum of one hundred pounds.

From Sept. 29, 1783, officers impowered to take ſamples of waſh from diſtillers, on paying 1s. 6d. per gallon for the ſame.

Penalty on reſuſal.

XXIII. And be it further enacted by the authority aforeſaid, That, from and after the ſaid twenty-ninth day of *September*, no diſtiller or maker of low wines or ſpirits, whether for ſale or for exportation, ſhall, on any pretence/whatever, have or keep any fixed pipe or other conveyance/whatever, leading to any ſtill or ſtills, ſave and except one charging-pipe to each ſuch ſtill; nor ſhall have any conveyance whatever leading from any ſuch ſtill or ſtills, ſave and except the diſcharge-cock to each ſtill reſpectively belonging, on pain to forfeit for every fixed pipe or other conveyance, leading to, or leading from, ſuch ſtill and ſtills, (not before excepted), the ſum of two hundred pounds.

After Sept. 29, no ſtill to have more than one fixed charging-pipe, and one diſcharge-cock,

on penalty of 200l.

XXIV. And be it further enacted by the authority aforeſaid, That, if any corn diſtiller, or maker of low wines or ſpirits from corn or grain, ſhall, after the ſaid twenty-ninth day of *September*, make uſe of any melafſes, coarſe ſugar, honey, or any compoſition or extract of ſugar, in the brewing, making, or preparing, waſh for diſtillation, or in making or extracting low wines or ſpirits, or ſhall receive or take into his cuſtody or poſſeſſion any quantity of melafſes, coarſe ſugar, honey, or any compoſition or extract of ſugar, exceeding ten pounds weight; every ſuch corn diſtiller, and maker of low wines and ſpirits from corn or grain, ſhall forfeit and loſe, for every ſuch offence, the ſum of one hundred pounds; and every ſervant of ſuch corn diſtiller, or maker of low wines or ſpirits from corn or grain, and every other perſon who ſhall be aiding and aſſiſting in the uſing any melafſes, coarſe ſugar, honey, or any compoſition or extract of ſugar, in the brewing, making or preparing

Any corn diſtiller who after Sept. 29, ſhall uſe any melafſes, honey, &c. in preparing waſh for diſtillation, ſhall forfeit 100l.;

and every ſervant, or other perſon aſſiſting therein, ſhall forfeit 20l. or be im-

preparing wash for distillation, or in making or extracting low wines or spirits, or in carrying or conveying the same into the house, still-house, or other place belonging to such corn distiller, or maker of low wines or spirits from corn or grain, shall also forfeit and lose, for every such offence, the sum of twenty pounds, and in default of payment shall suffer three months imprisonment.

prisoned for
three
months.

XXV. *And whereas distillers having made entry of their still-houses, have sometimes withdrawn those entries whilst wash and other materials prepared for distillation remain unworked, be it further enacted by the authority aforesaid, That, from and after the said twenty-ninth day of September, no distiller or maker of low wines or spirits, compounder or rectifier of spirits, who shall have made entry of any still-house and utensils, for the purpose of distillation, as by the several statutes relating to the duties on British made spirituous liquors he is required to do, shall be permitted to withdraw such his entry whilst wash, low wines, or other materials preparing or fit for distillation, are remaining in any of the places, or in any of the utensils, so by him, her, or them respectively entered as aforesaid; but in every such case the officers of excise, under whose survey such distiller or maker shall then be, shall continue to survey the places and utensils mentioned in each such entry, until all the wash, low wines, and other materials, shall be worked off, and the duties charged on the produce thereof, or until the same shall be removed from and out of the said entered places, and then, and not till then, shall any such entry, made as aforesaid, be withdrawn.*

After Sept.
29, no entry
of any still-
house, or
utensils, shall
be withdrawn
whilst wash,
or other ma-
terials for dis-
tillation, are
remaining
therein.

XXVI. *And be it further enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend, to take away or lessen any of the powers or authorities heretofore given to the officers of excise and for the inland duties, by any law or laws now in force relating to the said duties,*

Not to lessen
the powers of
officers of
excise.

XXVII. *And whereas by an act, made in the twenty-first year of the reign of his present Majesty, (intituled, An act for the better management and collection of the duties upon male servants, granted by an act made in the seventeenth year of the reign of his present Majesty), it was enacted, That all prosecutions for the recovery of the duties imposed upon male servants, and also for all forfeitures and offences made and committed against the said acts, within all or any of the counties, shires, and stewartries, cities, towns, or places, within the kingdom of Great Britain, shall be heard and determined by any two or more of the justices of the peace residing near to the place where such forfeitures shall be made, or offence committed; and if the party finds himself aggrieved by the judgement given by the said justices, he shall and may appeal to the justices of the peace at the next quarter sessions, who are authorized and impowered to hear and determine the same, and whose judgement therein shall be final: and whereas doubts have arisen, whether the word Party, in the said act mentioned, does*

Recital of
21 Geo. III.
cap. 31. s. 124

The word
party (in the
ſaid act) ex-
plained.

Recital of
22, Geo. III,
cap. 68. ſ. 28.

extend as well to the informers in ſuch prosecutions as to the defendants therein named: now, to obviate all ſuch doubts, be it declared and enacted by the authority aforeſaid, That the word *Party*, in the ſaid act mentioned, was intended to extend, and does extend, to either party who think themſelves aggrieved by any judgement given, or to be given, by any juſtices of the peace in purſuance of the ſaid act.

XXVIII. And whereas by a clause in an act, paſſed in the laſt ſeſſion of parliament, (intituled, An act for repealing the duties payable for beer and ale above ſix ſhillings the barrel, excluſive of the duties of exciſe, and not exceeding eleven ſhillings the barrel, excluſive of ſuch duties, and for granting other duties in lieu thereof; for granting additional duties on coaches, and other carriages therein mentioned; and alſo additional duties on ſope made in Great Britain, and upon the produce of the ſaid additional duties on coaches, and on other carriages; and for the better ſecuring the duty upon tea, and other duties of exciſe; and alſo for appointing the number of commiſſioners of exciſe, who may hear cauſes depending before them relative to the duties on male ſervants); it was enacted, That no tea, exceeding the quantity of twenty pounds weight, (not being within the cheſt in which the ſame was imported into this kingdom by the united company of merchants of England trading to the Eaſt Indies, and then continuing in the ſame ſtate in which it was imported), ſhall at any one time, directed to one and the ſame perſon, (or perſons where there are two or more in joint trade or partnership) be removed or carried from any city, town, pariſh, or place in this kingdom, not being within the limits of the weekly bills of mortality, or of the chief office of exciſe in London, to any other place out of the limits aforeſaid, not within the ſaid city, town, pariſh, or place, from which the ſame ſhall be ſo removed or carried: and if any tea, exceeding the quantity of forty pounds weight, at any one time, directed to one and the ſame perſon, (or perſons where there are two or more in joint trade or partnership), ſhall be found ſo removed or carried, or removing or carrying, whether with or without permit, the ſame, together with the canisters, bags, and other package containing the ſame, and the veſſels and boats, and the horſes and other cattle, and carriages employed in removing or carrying the ſame, ſhall be forfeited, and ſhall and may be ſeized by any officer or officers of exciſe: and whereas it was intended that the ſaid forfeitures in the ſaid clause mentioned, ſhould extend to all caſes where tea, exceeding the quantity of twenty pounds weight, ſhould be removed or carried, or removing or carrying, in the manner in the ſaid act mentioned, but the word *Forty* was by miſtake inſerted in the ſaid clause, inſtead of the word *Twenty*: now, for correcting and amending the ſaid miſtake, be it enacted by the authority aforeſaid, That if any tea exceeding the quantity of twenty pounds weight, at any one time, directed to one and the ſame perſon, (or perſons where there are two or more in joint trade or partnership), and not being in the original cheſt as aforeſaid, ſhall be found removed or carried, or removing or carrying, whether

Tea exceed-
ing 20 pounds
weight, (not
being in the
cheſt in which
it was import-

whether with or without permit, from any city, town, parifh, or place in this kingdom, not being within the limits of the faid weekly bills of mortality, or of the chief office of excife in *London*, to any other place out of the limits aforefaid, not within the faid city, town, parifh, or place, from which the fame fhall be fo removed or carried; all fuch tea, together with the canifters, bags, and other package containing the fame, and the veffels and boats, and the horfes and other cattle, and carriages employed in removing and carrying the fame, fhall be forfeited, and fhall and may be feized by any officer or officers of excife; any thing in the faid claufe in the faid recited act to the contrary notwithstanding.

ed) which fhall be removed out of any city, &c. not within the bills of mortality, fhall be forfeited with the package, cattle, and carriages.

XXIX. And be it further enacted by the authority aforefaid, That in cafe any information or fuit fhall be commenced and brought to trial, on account of the feizure of any goods, merchandizes, or commodities whatfoever, feized as forfeited by any act or acts of parliament now in force, or hereafter to be made, relating to his Majefty's revenue of excife or inland duties, or of any fhip, veffel, or boat, or of any horfes or other cattle, or of any carriages ufed or employed in removing or carrying the fame, wherein a verdict fhall be found for the claimer thereof; and it fhall appear to the judge or court before whom the fame fhall be tried, that there was a probable caufe of feizure, the judge or court before whom the fame fhall be tried, fhall certify on the record that there was a probable caufe for the profecutor feizing the faid goods, merchandizes, commodities, fhips, veffels, boats, horfes, or other cattle, or carriages, as the cafe may be; and in fuch cafe the claimant fhall not be intitled to any cofts of fuit whatfoever, nor fhall the perfon who feized the faid goods, merchandizes, or commodities, or the faid fhips, veffels, or boats, or the horfes or other cattle or carriages, be liable to any action, indictment, or other fuit or profecution on account of fuch feizure; and that in cafe any action, indictment, or profecution, fhall be commenced and brought to trial, againft any perfon or perfons whatfoever, on account of the feizure of any fuch goods, merchandizes, or commodities, or of any fhips, veffels, boats, horfes, or other cattle or carriages, ufed and employed in removing or carrying the fame, wherein a verdict fhall be given againft the defendant or defendants, if the court or judge before whom fuch action, indictment, or profecution, fhall be tried, fhall certify on the faid record, that there was a probable caufe for fuch feizure, then the plaintiff, befides the thing fo feized, or the value thereof, fhall not be intitled to above two-pence damages, nor to any cofts of fuit, nor fhall the defendant in fuch profecution be fined above one fhilling.

If the claimer of goods feized gain a verdict, and it fhall appear to the judge that the officer had probable caufe of feizure, the claimant fhall not be intitled to cofts, &c.

XXX. And, for the more effectual preventing vexatious fuits againft the officers of excife, and their affiftants acting under the authorities and powers to them given by the feveral ftatutes made for fecuring the duties of excife and inland duties; be it further enacted by the authority aforefaid, That, from and after the firft day

From Aug. 1, 1783, officers not to be ſued for executing their office, until after a month's notice,

Particulars to be contained in ſuch notice.

Officers may tender amends.

If amends tendered be ſufficient, a verdict to be given for the defendant, who ſhall be intitled to coſts, &c.

No evidence of the cauſe of action to be produced, except what is contained in the notice.

Defendant may pay money into court.

of *Auguſt*, one thouſand ſeven hundred and eighty-three, no writ ſhall be ſued out againſt, nor a copy of any proceſs ſerved upon, any officer or officers of exciſe, or againſt any perſon or perſons acting by his or their order, and in his or their aid, for any thing done in the execution of, or by reaſon of his or their office, until one calendar month next after notice in writing ſhall have been delivered to him, or left at the uſual place of his abode, by the attorney or agent for the party who intends to ſue out ſuch writ or proceſs as aforeſaid; in which notice ſhall be clearly and explicitly contained the cauſe of action, the name and place of abode of the perſon who is to bring ſuch action, and the name and place of abode of the ſaid attorney or agent, and that a fee of twenty ſhillings ſhall be paid for the preparing and ſerving of every ſuch notice, and no more.

XXXI. And be it further enacted, 'That it ſhall and may be lawful to and for any of the ſaid officers, or other perſons acting in their aid, to whom ſuch notice ſhall be given as aforeſaid, at any time within one calendar month after ſuch notice ſhall have been given, to tender amends to the party complaining, or to his or her agent or attorney, and in caſe the ſame is not accepted, to plead ſuch tender in bar to any action to be brought againſt him, grounded on ſuch writ or proceſs, together with the plea of not guilty, and any other plea, with leave of the court; and if upon iſſue joined thereon, the jury ſhall find the amends ſo tendered to have been ſufficient, then they ſhall give a verdict for the defendant or defendants; and in ſuch caſe, or in caſe the plaintiff ſhall become nonſuited, or diſcontinue his or her action, or in caſe judgement ſhall be given for ſuch defendant or defendants upon demurrer, then ſuch defendant or defendants ſhall be intitled to the like coſts as he would have been intitled to in caſe he had pleaded the general iſſue only; and if upon iſſue ſo joined the jury ſhall find that no amends were tendered, or that the ſame were not ſufficient, and alſo againſt the defendant or defendants in ſuch other plea or pleas, then they ſhall give a verdict for the plaintiff, and ſuch damages as they ſhall think proper, together with his or her coſts of ſuit.

XXXII. Provided always, and be it further enacted, That no plaintiff, in any caſe where an action ſhall be grounded on any act done by the defendant, ſhall be permitted to produce any evidence of the cauſe of ſuch action, except ſuch as ſhall be contained in the notice to be given as aforeſaid, or ſhall recover any verdict againſt ſuch officer, or perſons acting in his aid, unleſs he ſhall prove on the trial of ſuch action that ſuch notice was given, and that in default of ſuch proof the defendant in ſuch action ſhall recover a verdict and coſts as aforeſaid.

XXXIII. And be it further enacted, That in caſe ſuch officer, or others acting in his aid, ſhall neglect to tender any amends, or ſhall have tendered inſufficient amends, before the action brought, it ſhall and may be lawful for him, by leave of the

the court where such action shall be brought, at any time before issue joined, to pay into court such sum of money as he shall see fit, whereupon such proceedings, orders, and judgments, shall be had, made, and given, in and by such court, as in other actions where the defendant is allowed to pay money into court.

XXXIV. And be it further enacted by the authority aforesaid, That if any action or suit shall be brought or commenced against any person or persons for any matter or thing done by any officer or officers of excise, or any others acting in his or their aid, in execution of, or by reason of his or their office, such action or suit shall be brought or commenced within three months next after the cause of action shall arise, and not afterwards; and shall be laid and tried in the county or place where the facts were committed, and not in any other county or place; and the defendant or defendants shall and may plead the general issue, and give the special matter in evidence at any trial to be had thereupon; and if the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action or suit, or if, upon a verdict or demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have such remedies for the same as any defendant or defendants can or may have in other cases where costs are given by law.

Limitation of actions.

General issue.

Treble costs.

XXXV. And be it further enacted by the authority aforesaid, That if any goods liable to duties of excise, or inland duties, shall be seized by virtue of or in pursuance of any act or acts of parliament now in force, or hereafter to be made, or if any action shall be brought by the owner or claimer of any such goods, against any officer or officers of excise, or for the inland duties, or any person acting in their assistance, for any thing done in pursuance of any such act or acts, the proof of the payment of the excise or inland duties upon the goods so seized shall lay upon the owner or claimer of such goods, and not on the person who seized the same, or against whom such action shall be brought.

Claimers of goods seized to prove payment of the duties.

XXXVI. And be it further enacted by the authority aforesaid, That if any person or persons shall obstruct, assault, resist, oppose, molest, or hinder, any officer or officers of excise in the due execution of the several powers and authorities given or granted to such officers by this act, every person or persons so offending shall (except in such cases for which other penalties are herein-before directed) forfeit and lose, for every such offence, the sum of one hundred pounds.

Persons obstructing officers in executing this act,

to forfeit 100l.

XXXVII. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, imposed by this act (and not herein-before otherwise directed) shall be sued for, recovered, levied, or mitigated, by such ways, means, and methods, as any fine, penalty, or forfeiture, is or may be sued for, recovered, levied, or mitigated, by any law or laws of excise, or by action of debt, bill, plaint, or information, in any

Penalties and forfeitures how to be recovered and applied.

Anno vicesimo tertio GEORGII III. C. 71, 72. [1783.]

of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland*, respectively; and that one moiety of every such fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall discover, inform, or sue for the same.

C A P. LXXI.

An act for making compensation to the proprietors of certain messuages, lands, tenements, and hereditaments, in the county of Kent, purchased in pursuance of an act made in the last session of parliament, to vest certain messuages, lands, tenements, and hereditaments, in trustees, for the better securing his Majesty's docks, ships, and stores, at Portsmouth and Chatham.

22 Geo. 3. c. 80. recited; and his Majesty's letters patent, dated Sept. 26, 1782, appointing commissioners, and that the commissioners met, on Nov. 11, 1782, at the town hall of Rochester, and certain lands, &c. in the parish of Gillingham, and the timber thereon, valued at 4,789l. 14s. 3d. but no provision made for payment. Enacted that out of the supplies granted for 1783, the sum of 4,789l. 14s. 3d. shall be applied for making compensation for the before-mentioned lands, tenements, &c. Surveyor general of the ordnance to make out bills to persons intitled under the decree of the commissioners. Debentures for such sums to be prepared by the clerk of the ordnance, &c. The sums mentioned in such debentures, to be paid accordingly. The sum decreed to be paid to the principal and scholars of King's Hall, &c. in Oxford, to be laid out in purchase of lands, &c. also reciting that several sums of money have been decreed to be paid into the hands of trustees, for the purposes therein mentioned, pursuant to the wills of Thomas Fletcher and Elizabeth Proby. The said sums being 1,676l. 14s. 3d. and 174l. 8s. to be paid to the deputy remembrancer of the court of exchequer; who shall give a discharge for the same, and certify the receipt thereof to the barons of the exchequer, &c. All such money received by the deputy remembrancer, to be paid into the bank. Barons of exchequer, upon petition, &c. empowered to make orders for payment of the money received by the deputy remembrancer, or for placing it in the funds, &c. On death or removal of deputy remembrancer, all stocks, &c. vested in him by virtue of this act, shall vest in his successor, &c. If in future there should be no deputy remembrancer, then the trusts vested in him by this act shall vest in the remembrancer. If persons intitled to debentures shall neglect to take the same for a month after notice, they may be deposited with the clerk of the peace, &c. All the lands, &c. which have been valued as to be taken by his Majesty, shall, on payment of such valuation, be vested in his Majesty, his heirs, &c. for ever; and all other lands, &c. comprised in the recited act, shall remain vested in their former proprietors. All the lands, &c. in the recited act mentioned to be situate in the county of Southampton, and vested in Charles Wolfran Cornwall, &c. shall continue vested in the same persons, and their heirs. Limitation of actions to six calendar months, and the defendants may plead the general issue, and give the special matter in evidence, and if he recovers to have treble costs.

C A P. LXXII.

An act for raising a further sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and eighty-three. — To raise 1,500,000l. on the same terms as in the land tax act.

C A P. LXXIII.

An act for the more easy and speedy recovery of small debts within the town and liberties of Shrewsbury, in the county of Salop. — Debts above two shillings, and under forty shillings.

C A P. LXXIV.

An act for altering the duties and drawbacks upon plain muslins, unrated muslins and callicoos, and nanquin cloths.

WHEREAS it is expedient to reduce the duties payable upon the importation, and the drawbacks allowed upon the exportation, of certain species of muslins, callicoos, and nanquin cloths, for a limited time, as a means to discourage the pernicious practice of smuggling those articles into this kingdom, which has been lately, and is now carried on, to the great loss of the publick revenue, the detriment of the East India company, and the fair trader: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the thirty-first day of August, one thousand seven hundred and eighty-three, and during the continuance of this act, the several rates, duties, and impositions, payable upon the importation of plain muslins, unrated muslins and callicoos, and nanquin cloths, into this kingdom, shall cease and determine, and are hereby repealed and made void.

From Aug 31, 1783, the importation duties on plain muslins, &c. to cease.

II. And it is hereby further enacted by the authority aforesaid, That, in lieu and instead of the several duties hereby repealed, there shall be raised, levied, collected, and paid, a duty of eighteen pounds *per centum*, on the gross price for which such goods shall be sold by the candle at the sales of the united company of merchants of *England* trading to the *East Indies*, without any discount or deduction whatsoever.

New duty of 18 per cent. on the price at sale at the India House.

III. And it is hereby further enacted by the authority aforesaid, That upon the exportation of any plain muslins, unrated muslins and callicoos, and nanquin cloths, from this kingdom into foreign parts, which shall be sold at the sales of the said united company after the said thirty-first day of August, one thousand seven hundred and eighty-three, in lieu and instead of the former drawbacks heretofore paid and allowed upon the exportation of such goods, there shall be paid and allowed to the exporter thereof, a drawback of ten pounds *per centum*, and no more, out of the duty paid or payable upon the importation of such goods in pursuance of this act.

Drawback to be allowed on exportation of such goods.

IV. And it is hereby further enacted by the authority aforesaid, That the said duty granted by this act shall be raised, levied, collected, recovered, paid, and applied, and the drawback hereby granted shall be allowed and paid, in the same

manner New duty to be paid and applied, and drawback to be allowed, in

the ſame manner, and ſubject to the ſame regulations, as the former duties and drawback.

manner and form, and ſhall be ſubject to the ſame rules, regulations, ſecurities, reſtrictions, penalties, and forfeitures, in all reſpects (except where any alteration is made by this act) as the former duties and drawbacks were ſubject and liable to by any act of parliament now in force, in as full and ſimple manner, to all intents and purpoſes, as if the ſeveral clauſes, rules, regulations, ſecurities, reſtrictions, penalties, and forfeitures, relative thereto, were again repeated and re-enacted in the body of this preſent act.

Continuance of this act to Aug. 31, 1787.

V. And it is hereby further enacted by the authority aforeſaid, That this act ſhall continue in force until the thirty-fiſt day of *Auguſt*, one thouſand ſeven hundred and eighty-ſeven.

C A P. LXIV.

An act for repealing ſo much of an act made in the twenty-fiſt year of the reign of his preſent Maſeſty, as took off the duties payable upon the importation of that ſpecies of blue called Smalts; and for granting relief to the owners or proprietors of tobacco, of the growth of that part of Great Britain called Scotland, which ſhall not be worth the duties impoſed thereon by an act of the laſt ſeſſion of parliament.

Preamble.
Recital of 21
Geo. 3. c. 40.
ſ. 2. repealed.

WHEREFAS by an act, made in the twenty-fiſt year of the reign of his preſent Maſeſty, (intituled, An act for extending the proviſions of three acts, made in the twenty-ninth year of his late Maſeſty, and in the tenth and nineteenth years of his preſent Maſeſty's reign, for granting a bounty on certain ſpecies of *British* and *Iriſh* linens exported, to *British* and *Iriſh* linens, *British* callicoed and cottons, or cotton mixed with linen, printed, painted, or ſtained in *Great Britain*, and to buckrams and tilletings, exported during the time therein limited; and for taking off the duties payable upon the importation of that ſpecies of blue called Smalts,) it is, among other things, enacted, That, during the continuance of the ſaid recited acts, no ſubſidy, cuſtom, rate, duty, or other impoſition whatſoever, ſhall be demanded, collected, received, or taken, upon that ſpecies of blue called Smalts, which ſhall be imported into this kingdom: and whereas it is expedient that ſo much of the ſaid act as took off the duties on that ſpecies of blue called Smalts, ſhould be repealed; be it therefore enacted by the King's moſt excellent maſeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That ſo much of the ſaid recited act ſhall, from and after the fiſt day of *Auguſt*, one thouſand ſeven hundred and eighty-three, be, and the ſame is hereby repealed and made void; and all ſuch blue, called Smalts, which, from and after the ſaid fiſt day of *Auguſt*, ſhall be imported or brought into any part of *Great Britain*, ſhall be ſubject and liable to the ſame duties and impoſitions as they would have been ſubject and liable to if the ſaid recited act had not been made; any thing

thing therein, or in any other act, to the contrary notwithstanding.

II. *And whereas, by an act made in the twenty-second year of the reign of his present Majesty, (intituled, An act to explain an act, made in the twelfth year of the reign of King Charles the Second, intituled, An act for prohibiting the planting, setting, or sowing of tobacco in England or Ireland, and to permit the use and removal of tobacco, the growth of Scotland, into England, for a limited time, under certain restrictions,) it was, amongst other things, enacted, That the like duties should be paid for such tobacco as were due and payable upon the importation of such tobacco of the growth and produce of the British colonies or plantations in America: and whereas there is not any provision made in the said recited act, for granting any relief to the proprietors of such tobacco, in consideration of the inferior quality thereof, or any accident or defect that may happen in the growth or culture of such tobacco, so as to render the same not marketable or worth the duties imposed thereon; for remedy whereof, be it enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners of his Majesty's customs at Edinburgh, or any three or more of them, to allow, and order to be paid, to the owner or proprietor of such tobacco, out of any revenue under their management which is applicable to the payment of incidents, at the rate of four-pence for every pound weight of such tobacco, for which the owner or proprietor thereof shall refuse to pay the full duties imposed by the said recited act; provided such tobacco shall be given up by him, to the proper officers of his Majesty's customs, to be publicly burnt, or otherwise totally destroyed by such officers; any thing in the said recited act to the contrary notwithstanding.*

Recital of 22
Geo. 3. C. 73.

Commissioners of customs at Edinburgh may allow proprietors of bad tobacco 4 d. per pound for the same, and cause it to be burnt, &c.

C A P. LXXVI.

An act for the better preventing frauds in the landing and removing of wines in this kingdom; and to prevent the relanding of refined sugar entered for exportation, to obtain the drawback or bounty.

WHEREAS the regulations prescribed by an act, made in the twenty-sixth year of his late Majesty's reign, intituled, *An act to prevent wines, imported into any of the out-ports of this kingdom, being afterwards brought into the port of London, or parts adjacent, without paying the London duty; and several other laws heretofore made to prevent the clandestine running of wine into this kingdom, have not been sufficient to answer the good purposes thereby intended, such illicit practices being lately much increased, and are now carried on to a great degree at several of the out-ports in this kingdom, to the diminution of the publick revenue, and the prejudice of the fair merchants: for remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons,*

Preamble.

Recital of 26
Geo. 2. C. 12.

in

From Sept. 1, 1783, no wine to be removed from any out-port of Great Britain to any other part of the kingdom, without a proper certificate.

in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the firſt day of September, one thouſand ſeven hundred and eighty-three, no wine of any fort, in any hoghead or other caſk whatſoever, ſhall be removed or carried, either by land or by water, from any out-port, creek, or haven, in *Great Britain*, not being within the limits of the port of *London*, to any other town, port, or place whatſoever, within the ſame kingdom, without a certificate firſt had and obtained from the collector and comptroller, or the chief officers of the cuſtoms at or neareſt to the town, port, or place, from which ſuch wine is intended to be ſo removed, certifying that the duties due and payable for ſuch wine had been paid at the port or place of importation, or that the ſame was wine ſold for ſalvage, or that the ſame had been compounded for or condemned, as the caſe may be; reſpecting to the time when, and the place where, ſuch wine was entered, ſold, compounded for, or condemned, and expreſſing the quantity and fort of wine, with the marks of the package thereof, to what place, and to whom the ſame is conſigned, and by what carriage, and by whom the ſame is intended to be removed; which facts ſhall be verified by the oath of the importer or proprietor of ſuch wine; and if the wine is to be removed by land, the certificate ſhall alſo expreſs and limit the time for which ſuch certificate ſhall continue in force.

Oaths and certificates to be adminiſtered, &c. by the collector, &c. without fee.

II. And it is hereby further enacted by the authority aforeſaid, That the oaths and certificates herein-before required, ſhall and may be adminiſtered and granted by the collector and comptroller, or the chief officers of the cuſtoms, in the manner before directed, without fee or reward.

All wine removed without a certificate, &c. ſhall be forfeited, with the cattle and carriages removing the ſame.

III. And it is hereby further enacted by the authority aforeſaid, That if any wine ſhall be removed as aforeſaid, or found removing, without the certificate herein-before required, or ſhall not agree therewith, all ſuch wine, and the caſks or other package thereof, together with the horſes, cattle, carts, waggonſ, boats, barges, and all other carriages whatſoever, employed, or in any ways made uſe of in the removing, carrying, or conveying of ſuch wine, ſhall be forfeited and loſt, and ſhall and may be ſeized and proſecuted by any officer or officers of his Majeſty's cuſtoms, and after condemnation, diſpoſed of and divided in ſuch manner as the like goods may for any other cauſe of forfeiture be ſeized, proſecuted, diſpoſed of, and divided, by any law in force.

In caſe of diſpute relative to removing wine, &c. proof to lie on the claimer.

IV. And it is hereby further enacted by the authority aforeſaid, That if any wine ſhall be ſeized for being removed, or for being found removing, without ſuch certificate, or any cattle or carriages ſhall be ſeized for removing, or for having been uſed in removing ſuch wine, and any doubt or diſpute ſhall ariſe whether ſuch wine hath or hath not been removed, or is or is not removing, or ſuch cattle or carriages hath or hath not been uſed in removing thereof, contrary to the true intent and meaning of this act, the proof thereof ſhall lie on the owner or claimer

claimer of fuch goods, and not upon the officer who fhall feize or flop the fame.

V. And it is hereby further enacted by the authority aforefaid, That if any perfon or perfons fhall falſely make oath to any of the facts herein-before required to be ſworn, ſuch perſon or perfons ſhall, on conviction thereof, ſuffer the like pains and penalties as are incurred by perſons committing wilful and corrupt perjury; and if any perſon or perfons ſhall forge, counterfeit, erafe, alter, or falſify, any certificate required or directed by this act, or ſhall knowingly or willingly make uſe of any certificate ſo forged, counterfeited, eraſed, altered, or falſified, ſuch perſon or perfons ſhall, for every ſuch offence, forfeit the ſum of five hundred pounds, one moiety thereof to the uſe of his Maſteſty, his heirs and ſucceſſors, and the other moiety to ſuch officer or officers of the cuſtoms or exciſe as ſhall ſue and proſecute for the ſame in any court of record at *Weſtmiſter*, or in the court of exchequer at *Edinburgh* reſpectively.

Penalty on perſons ſwearing falſely,

and on forging or altering certificates, &c. 500l.

VI. And whereas the large drawback or bounty allowed upon the exportation of refined ſugar from Great Britain into foreign parts, hath been and may be an encouragement to fraudulent traders to reſend ſuch ſugars in this kingdom, after the ſame hath been entered outwards for exportation, in order to receive the drawback or bounty thereon; for remedy whereof, be it further enacted by the authority aforeſaid, That, from and after the firſt day of September, one thouſand ſeven hundred and eighty-three, no drawback or bounty ſhall be allowed upon the exportation of any *British* refined ſugar, unleſs ſuch ſugar ſhall be packed in hogſheads, or other caſks, each of which ſhall contain fix hundred weight avoirdupois of ſuch ſugar at the leaſt, and ſhall not be packed in bags, boxes, or in any other packages within ſuch hogſhead or caſk; except ſuch ſugars as ſhall be exported to *Africa*; or any of the *British* colonies or plantations in *America*, and ſhall be packed in iron-bound puncheons or caſks, each of which puncheons or caſks ſhall be capable of containing one hundred gallons of liquor, or more; and the exporter or proprietor of ſuch ſugar, together with the maſter of the veſſel on board of which the ſame ſhall be entered for exportation, ſhall, before the ſhipping thereof, give bond to the collector and comptroller of the cuſtoms at the port of exportation, (which bond they are hereby impowered to take in the name and to the uſe of his Maſteſty, his heirs and ſucceſſors,) in treble the amount of the drawback or bounty on ſuch ſugar, for the due exportation thereof, (the danger of the ſeas and enemies excepted;) and that ſuch ſugar ſhall not be brought back or reſanded, or unſhipped to be reſanded, in *Great Britain*, the *Iſle of Man*, or the iſlands of *Faro* or *Ferro*: and if ſuch ſugar ſo entered for exportation, ſhall not be bona fide ſhipped and exported off-board the veſſel on which the ſame ſhall be ſo entered, or if ſuch ſugar, after the ſhipping thereof, ſhall be brought back into this kingdom, or be reſanded, or unſhipped with an intention to be reſanded, in this kingdom, (unleſs in caſe of ſel,

From Sept. 1, 1783, no drawback to be allowed on exportation of *British* refined ſugar, unleſs packed in caſks of fix hundred weight, &c.

Exception, Exporter, &c. to give bond, in treble the amount of the drawback, for the due exportation of ſuch ſugar.

All ſugar ſo entered, which ſhall not be exported, ſhall be forfeited, with the veſſel, &c.

diſtreſs

Penalty on persons assisting in unshipping or relanding thereof.

distress to save the ship from perishing, or by order of the commissioners, or principal officers of the customs, such sugar, together with the ship or vessel from which the same shall be unshipped, and the boats, vessels, and all other cattle and carriages whatsoever used in the landing, removing, carrying or conveying of such sugar, shall be forfeited and lost; and every person who shall bring back, or who shall cause or procure such sugar to be brought back, or shall be assisting or otherwise concerned in the bringing back, relanding, or unshipping such sugar, or to whose hands the same shall knowingly come, after the same shall be brought back, relanded, or unshipped, or by whose privity, knowledge, or direction, the said sugar, or any part thereof, shall be brought back, relanded, or unshipped, shall forfeit treble the value thereof: which said forfeitures and penalties shall and may be prosecuted, sued for, and recovered, by any officer or officers of his Majesty's customs; and, after condemnation, disposed of and divided in such manner and form as the like goods and penalties may be sued for, prosecuted, recovered, disposed of, and divided, by any law in force.

Bonds to remain three years in the officers hands, &c.

VII. And it is hereby further enacted by the authority aforesaid, That the bonds herein-before directed to be taken for the due exportation of such sugar, shall remain undischarged in the hands of the officers who took the same for three years from the dates thereof; and in case no prosecution shall be commenced for some breach or non-performance of the conditions thereof within three years after the dates of such bonds; or if, upon such prosecution, judgement be not obtained for his Majesty within the space of two years after the prosecution is commenced, such bonds shall be void, and shall be cancelled, but not otherwise.

Persons sued for executing this act, may plead the general issue, and shall be entitled to treble costs.

VIII. And it is hereby further enacted by the authority aforesaid, That if any person or persons shall be sued, molested, or prosecuted, for any thing done by virtue or in pursuance of this act, such person and persons shall and may plead the general issue, and shall give this act, and the special matter in evidence; and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff shall discontinue his action, or be nonsuited, or judgement shall be given against him upon demurrer or otherwise, then such defendant or defendants shall have treble costs to him or them awarded against such plaintiff.

C A P. LXXVII.

An act for the more effectual encouragement of the manufactures of flax and cotton in Great Britain.

Preamble.

WHEREAS it is of consequence that the manufactures produced from the raw materials of flax and cotton, employing and maintaining great numbers of his Majesty's subjects, should be preserved, promoted, and encouraged, but which are now greatly obstructed by the high duties payable on soap, starch, and other articles necessarily

necessarily employed and consumed therein; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of *January*, one thousand seven hundred and eighty-four, it shall and may be lawful to and for any person or persons in the manufacturing of flax or cotton, and bringing the same to a finished state for sale, or in any part of the process or progress thereof, and who shall employ, spend, and consume any quantity or quantities of sope or starch, in the preparing, bleaching, whitening, and bringing of flax or cotton to a finished manufacture for sale, or in any part of the progress of the same, (excepting sope employed, spent, and consumed in whitening new linen in the piece for sale, the drawbacks on which shall be and remain the same as by any former act or acts of parliament,) or to and for his, her, or their overseers or chief workmen employed under him, her, or them, in those works, or any of them, at the end of each year from the date of the entry herein-after directed to be made, or within six months thereafter, to make proof by the oath of the person or persons who shall so employ, spend, or consume the said sope or starch, or of his, her, or their overseer or chief workman, before the collector or supervisor of excise of the district or division, or either of them, where sope or starch, or either of them, shall be so employed, spent, and consumed, (who are hereby respectively empowered and required to administer the same;) which said oath shall specify the kinds and quantities of the manufactures so made, prepared, whitened, or finished, and the days between which and the places where the same were so made, prepared, whitened, or finished respectively, and the quantities and kinds of the sope or starch which were actually employed, spent, and consumed therein; and that no allowance or drawback, by virtue of this or any other act or acts of parliament, was before made to such manufacturer or manufacturers, or for his, her, or their benefit, of the duties payable for the sope or starch so specified in such oath, or any part thereof; and that upon the making of every such oath, the said collector of excise, out of the money in his hands which shall have arisen for the duty upon sope, granted by an act made in the tenth year of the reign of her late majesty Queen Anne, (intituled, *An act for laying several duties upon all sope and paper made in Great Britain, or imported into the same; and upon chequered and striped linens imported; and upon certain silks, callicoes, linens, and stuffs, printed, painted, or stained; and upon several kinds of stamped vellum, parchment, and paper, and upon certain printed papers, pamphlets, and advertisements, for raising the sum of eighteen hundred thousand pounds by way of lottery, towards her Majesty's supply; and for licensing an additional number of hackney chairs; and for charging certain stocks of cards and dice; and for better securing her Majesty's duties to arise in the office for the stamp-duties by licences for marriages and otherwise; and for relief of persons* From Jan. 1, 1784, manufacturers of flax and cotton, &c. to make oath before a proper officer, of the quantities of sope and starch consumed by them in each respective manufacture, &c. Collector, out of the money in his hands of the duty on sope, granted by 10 Annæ, c. 19;

and continued
by 3 Geo. I.
c. 7,

shall pay to
such manu-
facturers a
drawback on
all ſope ſo
uſed,
(Exception,)

and out of the
money in his
hands of the
duties on
ſtarch, a
drawback on
all ſtarch ſo
uſed.

If collector
ſhall not have
money ſuffi-
cient in hand,
he is to certify
the ſame to
the commiſ-
ſioners, &c.

ſons who have not claimed their lottery tickets in due time, or have loſt exchequer bills, or lottery tickets; and for borrowing money upon ſtack (part of the capital of the South Sea company) for the uſe of the publick;) and continued by an act made in the third year of the reign of his late majeſty King George the Firſt, (intituled, *An act for redeeming the duties and revenues which were ſetled to pay off principal and intereſt on the orders made forth on four lottery acts, paſſed in the ninth and tenth years of her late Majeſty's reign; and for redeeming certain annuities payable on orders out of the hereditary exciſe, according to a former act in that behalf; and for eſta- bliſhing a general yearly fund, not only for the future payment of an- nuities at ſeveral rates, to be payable and transferrable at the bank of England and redeemable by parliament; but alſo to raiſe monies for ſuch proprietors of the ſaid orders as ſhall chooſe to be paid their prin- cipal and arrears of intereſt in ready money; and for making good ſuch other deficiencies and payments as in this act are mentioned; and for taking off the duties on linſeed imported, and Britiſh linen ex- ported;) ſhall, and is hereby authorized and required forthwith to pay to the ſaid manufacturer or manufacturers a drawback of the duty or ſope, at the rate of three farthings for every pound weight of hard ſope, and three farthings for every pound weight of ſoft ſope, which ſhall be uſed and conſumed in preparing and finiſhing all manufactures from flax or cotton for ſale, (except ſuch ſope as ſhall be uſed in whitening new linen in the piece, in order for ſale;) and the ſaid collector, out of the money in his hands which ſhall have ariſen for the duties upon ſtarch, ſhall, and is hereby authorized and required to pay to the ſaid manufacturer or manufacturers, a drawback of the duties on ſtarch, at the rate of one penny halfpenny for every pound weight of ſtarch which ſhall be uſed and conſumed in preparing and finiſhing all manufactures from flax or cotton for ſale, (ex- cept ſuch ſtarch as ſhall be uſed and conſumed in finiſhing new linen in the piece for ſale;) and the ſaid collector, out of the money in his hands which ſhall have ariſen for the duties upon ſtarch, ſhall and is hereby authorized and required to pay to the ſaid manufacturer or manufacturers three-pence for every pound weight of ſtarch which ſhall be uſed and conſumed in finiſhing new linen in the piece for ſale: and in caſe the col- lector ſhall not then have money ſufficient in his hands to ſatisfy ſuch payments, that then, and in every ſuch caſe, the reſpective commiſſioners of the exciſe in England and Scotland for the time being, upon a certificate thereof from the ſaid collector (who is hereby required to make and ſign ſuch certificate,) ſhall, and are hereby authorized and required forthwith to cauſe ſuch pay- ment to be made out of any monies ariſing from the duty on ſope, granted by the ſaid act made in the tenth year of the reign of her late majeſty Queen Anne, and continued by the ſaid act made in the third year of the reign of his late majeſty King George the Firſt, and out of the duties on ſtarch reſpectively, without any further delay.*

II. And be it further enacted and declared by the authority aforeſaid

foreſaid, That the owner or chief workman employed in any Manuſacturer, or his Manuſactory of flax or cotton, in order to be intitled to the chief work- benefit of this act, ſhall produce an account from his books, man, to pro- upon oath, of the ſope and ſtarch purchaſed by him for the uſe duce an ac- of his manuſactory, ſpecifying from whom the ſaue was pur- count, upon chaſed, the quantity actually given out to be uſed and conſumed oath, of the ſope and ſtarch uſed for the year immediately preceding, and the amount of each by him in his different ſpecies of goods, either raw or manuſactured, in which manuſactory, in the pre- the ſaid ſope and ſtarch reſpectively has been uſed and conſum- ceding year; ed; and provided that each and every manuſacturer of flax or and to keep alto a weekly account; cotton, or his or her overſeer or chief workman, ſhall, and are hereby obliged and directed from time to time to keep an account of all ſuch ſope and ſtarch reſpectively as ſhall be employ- ed, ſpent, and conſumed in each week, in the preparing, bleaching, whitening, and bringing-of flax or cotton to a finiſhed manuſacture for ſale; and ſhall once in every week enter in a book, to be kept for that purpoſe, an account of the quantity or quantities of ſope and ſtarch ſo employed, ſpent, and con- ſumed in each week reſpectively, and alſo of the particular ſpecies of manuſacture in which ſuch ſope and ſtarch ſhall have been employed, ſpent, and conſumed; which ſaid book, ſo to be kept by each manuſacturer, or his or her overſeer or chief workman, ſhall at all times, when demanded by any officer of exciſe, be produced to ſuch officer, to be by him peruſed and inſpected, the better to prevent unjuſt claims of the drawback by this act granted of the duties on ſope and ſtarch; and that once in every year, or at the time that the manuſacturer ſhall apply for the drawback of the duties granted by this act, the ſaid book ſhall be delivered to the collector of exciſe, upon the oath of the perſon who kept the ſame, and made the entries therein, of the truth of ſuch entries, which book ſhall be left and remain with ſuch collector.

III. Provided alſo, That where there is a ſuperintending Where there is owner, and likewise an overſeer or chief workman, each ſhall, a ſuperintend- within ſix months after the expiration of the preceding year to ing owner, which their reſpective claims apply, produce their accounts on and an over- oath before the ſaid collector of exciſe, who is hereby required ſer, each ſhall and impowered to adminiſter ſuch oath; which oath ſhall be in produce their accounts, on the words, or to the effect, following: oath, before the collector,

Oath for the owner, or ſuperintending agent or manager.

I A. B. owner, or one of the owners, or ſuperintending manager, of the work carried on at *do ſolemnly ſwear,*
under the name or firm of
 That the abſtract hereunto annexed contains a juſt and true account of the quantity of ſope and ſtarch reſpectively purchaſed by me for the uſe of the ſaid work under my management, of the quantity delivered out to the overſeer for conſumption, and of the quantity of each different ſpecies of goods upon which the ſaid ſope and ſtarch has been uſed and conſumed from the day of

of the ^{day of} ^{and that, to}
 the best of my knowledge and belief, the said ^{flax and starch} has been
 charged with, and that the duty chargeable thereon has been duly paid;
 and that neither the whole nor any part of the said duties, have been
 before drawn back or allowed, to the best of my knowledge and belief.

So help me GOD,

Oath for the overseer.

I A. B. principal overseer of the work carried on at ^{do solemnly}
 under the name or firm of ^{swear,} That the book of account which I now exhibit contains a just
 and true account of the quantity and quality of the ^{flax and starch} re-
 spectively employed, spent, and consumed in each week, in the prepar-
 ing, bleaching, or whitening ^{flax or cotton,} from the
 day of ^{to the} ^{day of}
 and that the same was actually used and con-
 sumed in preparing, bleaching, whitening, or finishing ^{flax or cotton}
 goods for sale, and not for private use; and that neither the whole,
 nor any part of the said duties, has been before drawn back or al-
 lowed, to the best of my knowledge and belief.

So help me GOD.

Importation
 duties on
 brimstone
 and saltpetre,
 consumed in
 making oil of
 vitriol, to be
 repaid.

IV. And be it further enacted by the authority aforesaid,
 That the whole duties of customs, payable and chargeable by
 any act or acts of parliament on the importation of brimstone
 and saltpetre, used and consumed in making oil of vitriol, shall
 be repaid and drawn back on the oath of the maker of such oil
 of vitriol at the end of the year from the date of the entry here-
 in-after mentioned, or within six months thereafter; and a cer-
 tificate or debenture shall be given by the collector or comp-
 troller of the customs of the port or district within which such
 brimstone and saltpetre shall have been used and consumed in
 making oil of vitriol, equal to the duties and customs paid upon
 the importation of such brimstone and saltpetre; which deben-
 ture shall be paid by the respective commissioners of the customs
 in England and Scotland, out of the money in their hands aris-
 ing from the duties on brimstone and saltpetre; provided al-
 ways, That the maker of such oil of vitriol shall produce a cer-
 tificate, from the collector or comptroller of the customs where
 such brimstone and saltpetre was imported, of the same having
 paid the duties charged thereon.

Manufactur-
 ers of flax and
 cotton, and
 makers of oil
 of vitriol, to
 enter their
 names and
 places of

V. Provided always, and be it further enacted by the autho-
 rity aforesaid, That no manufacturer of flax or cotton shall
 claim or receive any benefit from this act, unless he shall have
 entered his name and place of abode with the collector of excise
 of the collection or district wherein such manufacturer shall carry
 on his manufacture, at least one year before making his claim
 and shall, in such entry, specify the articles upon which a draw-
 back

back is to be claimed; and that no maker of oil of vitriol shall claim the benefit of this act, unless he shall have entered his name and place of abode with the collector of the customs of the port or district within which his work shall be carried on, at least one year before his making his claim, and shall, in such entry, specify the articles upon which a drawback is to be claimed.

abode with the collectors of excise and customs.

VI. And it is hereby declared and enacted, That no fee, gratuity, or reward whatsoever, shall be required, demanded, or taken, from any of the said manufacturers, or their overseers or chief workmen, for making any of the payments of the said allowances or drawbacks for soap and starch consumed in the said manufactures, or drawbacks on brimstone and saltpetre, or for making or taking any of the said oaths, or granting any certificate relating thereto, except expence for writing every such oath or certificate; upon pain that any of the said officers offending therein shall, for every such offence, pay treble damages to the party aggrieved, besides costs of suit, to be recovered in such manner as any other penalties herein-after mentioned.

Penalty on officers taking fees of manufacturers, except 6d. for writing each oath, &c.

VII. And, for the better preventing frauds and abuses in obtaining the allowances and payments herein-before mentioned, it is hereby further enacted, That if any manufacturer of flax or cotton, or his or her chief workman or overseer, or superintending manager, or any maker of oil of vitriol, shall, in the oath or oaths herein-before directed to be taken, swear any matter or thing that shall be false and untrue, with an intent to defraud his Majesty, his heirs or successors, such person or persons offending therein shall, for every such offence, forfeit and lose the sum of one hundred pounds, to be recovered, to wit, one third part thereof to the use of his Majesty, his heirs and successors, and the other two third parts thereof, with costs of suit, to the use of the informer or prosecutor; and if such person or persons shall again offend in the like kind, and be thereof duly convicted in any court of record at *Westminster*, or in any of the courts of *England*, every such person shall, for every subsequent offence, suffer such and the like pains and punishments as in cases of wilful and corrupt perjury.

Manufacturers swearing falsely in the oaths before mentioned, to forfeit 100l.

and for a second offence, shall suffer as in cases of corrupt perjury.

VIII. And be it further enacted, That if any manufacturer of flax or cotton, or his or her chief workman or overseer employed in keeping the book, in which are required to be entered the weekly consumption of soap and starch respectively, shall swear any matter or thing that shall be false and untrue, with an intent to defraud his Majesty, his heirs and successors, and be thereof duly convicted in any of the courts aforesaid, such manufacturer, chief workman, or overseer, shall, for the first offence, be committed to the common gaol of the county, city, or place, where the offender shall be convicted, therein to remain for any time not exceeding six months; and for every subsequent offence, shall suffer such and the like pains and punishments as in cases of wilful and corrupt perjury.

If any manufacturer, or his workman keeping the account of the weekly consumption of soap, &c. shall swear falsely, he shall be committed for 6 months;

and for a second offence, shall suffer as in cases of corrupt perjury.

Anno vicelimo tertio GEORGE III. C. 78. 79. [1783.]

IX. And be it further enacted by the authority aforesaid, That this act shall continue to be in force for and during the full term of two years, and from thence to the end of the then next session of parliament.

C A P. LXXVIII.

An act for granting to his Majesty a certain sum of money out of the sinking fund; and for applying certain monies therein mentioned for the service of the year one thousand seven hundred and eighty three, and for further appropriating the supplies granted in this session of parliament. — 2,200,000*l.* granted out of the sinking fund.

C A P. LXXIX.

An act for the further encouraging the growth of coffee and cocoa nuts, in his Majesty's islands and plantations in America.

Preamble.

Recital of
to Geo. 1.
c. 10.

WHEREAS by an act, made in the tenth year of the reign of his majesty King George the First, (intituled, An act for repealing certain duties therein mentioned, payable upon coffee, tea, cocoa nuts, chocolate, and cocoa paste, imported; and for granting certain inland duties in lieu thereof; and for prohibiting the importation of chocolate ready made, and cocoa paste; and for better ascertaining the duties payable upon coffee, tea, and cocoa nuts, imported; and for granting relief to Robert Dulseell, late earl of Carnwath,) it was amongst other things enacted and declared, That, in lieu of certain duties, then payable by former acts, an inland duty should be charged and imposed upon all coffee to be sold in Great Britain, from and after the twenty-fourth day of June, one thousand seven hundred and twenty-four, after the rate of two shillings per pound avoirdupois; and in that proportion for a greater or lesser quantity, over and above all customs, subsidies, and duties, which then remained payable to his Majesty for the same, upon the importation thereof: and whereas by an act, made in the fifth year of his late majesty King George the Second, (intituled, An act for encouraging the growth of coffee in his Majesty's plantations in America,) after reciting there was great reason to believe, that the soil and climate of the island of Jamaica, and other British plantations in America, were proper for the growth of coffee; and that great quantities of that commodity might be produced in the said plantations, and from thence imported into this kingdom, if encouragement should be given for that purpose, to the great advantage of this kingdom, and of the said plantations; therefore, for the encouraging the growth of coffee in the said plantations, and the importation of the same into this kingdom, it was enacted, That, from and after the twenty fifth day of March, one thousand seven hundred and thirty-five, all coffee of the growth or product of any of the British plantations in America should, in lieu of the said inland duties of two shillings per pound, pay an inland duty of one shilling and six-pence, and no more, per pound weight avoirdupois, and in that proportion for a greater or lesser quantity;

5 Geo. 2.
c. 14.

quantity; and that the persons nominated and appointed, by virtue of the said therein and herein first mentioned act, to manage and collect the said inland duty arising thereby, should, and were thereby impowered to take and receive the sum of one shilling and sixpence per pound weight, and no more, for all coffee of the growth and produce of the British plantations: and whereas the lowering the duty on coffee, the growth and produce of the British islands and plantations in America, would still more encourage the growth of coffee in the said islands and plantations, if the duty on coffee, the growth and produce of those islands and plantations, should be further lessened: now, therefore, be it enacted by the King's most excellent majesty, by and with the advice and content of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the fifth day of January, one thousand seven hundred and eighty-four, all coffee, of the growth and produce of any of the British islands or plantations in America, shall, in lieu of the said inland duty of one shilling and sixpence per pound weight, pay an inland duty of sixpence per pound weight avoirdupois, and in that proportion for a greater or lesser quantity; and the persons nominated and appointed, by virtue of the said herein first mentioned act, to manage and collect the said inland duty to arise thereby, shall, and are hereby impowered to take and receive the sum of sixpence per pound weight, and no more, for all coffee, of the growth and produce of the said British islands or plantations above mentioned; any thing in the said act to the contrary notwithstanding.

From Jan. 5.
1784 coffee,
the produce of
the British
islands, &c in
America, to
pay an inland
duty of 6 d.
per pound, in-
stead of 1s. 6d.

II. Provided always, and be it enacted, That the said duty of sixpence per pound weight avoirdupois, shall be applicable to the uses and purposes contained and declared in the said act of the tenth year of the reign of his said late majesty King George the First; and all officers employed in managing and collecting the same, and all persons importing, selling, buying, or dealing in such coffee, shall be subject to the rules, limitations, restrictions, forfeitures, and penalties, to be prosecuted, received, and divided, in the manner thereby prescribed and directed.

The said duty
to be appli-
cable to the
uses mention-
ed in the act
10 Geo. 1.

III. And be it further enacted by the authority aforesaid, That all the powers, rules, regulations, authorities, directions, methods, clauses, penalties, forfeitures, matters, and things, which, in and by the said act made in the fifth year of the reign of his said late majesty King George the Second, are provided, settled, or established, for managing, raising, levying, collecting, regulating, or recovering, adjudging, or ascertaining, the duties thereby granted, shall be exercised, applied, used, and put in execution, in and for the managing, raising, levying, collecting, mitigating, recovering, ascertaining, and paying, the said duty upon coffee, hereby imposed, as fully and effectually, to all intents and purposes, as if all and every the said powers, rules, regulations, authorities, directions, methods, clauses, penalties, matters, and things, were particularly repeated and again enacted in the body of this present act.

All the pow-
ers, regulati-
ons, &c for
raising and re-
covering the
duties granted
by 1st 5 Geo.
2. shall be ap-
plicable to this
act.

Coffee imported from the ſaid iſlands, &c. to be in ſuch packages, and under ſuch regulations, as mentioned in act 5 Geo. 3. c. 43.

Recital of 21 Geo. 3. c. 55.

19 Geo. 3. c. 251

and 21 Geo. 3. c. 17.

From Jan. 5. 1784. Cocoa nuts, the produce of the ſaid iſlands,

IV. Provided alſo, and it is hereby further enacted, That all coffee, ſo to be brought from the ſaid iſlands or plantations, ſhall be imported in ſuch packages, and in ſuch manner, and under ſuch rules, regulations, reſtrictions, and forfeitures, as in and by an act, made in the fifth year of his preſent Maſteſty's reign, (intituled, *An act for the better ſecuring, and further improvement, of the revenues of cuſtoms, exciſe, inland and ſalt duties; and for encouraging the linen manuſacture of the iſle of Man; and for allowing the importation of ſeveral goods, the produce and manuſacture of the ſaid iſland, under certain reſtrictions and regulations,*) are provided and required.

V. And whereas by an act, made in the twenty-fiſt year of the reign of his preſent Maſteſty, intituled, *An act for repealing the duties payable upon chocolate made in Great Britain, and for granting certain inland duties upon cocoa nuts in lieu thereof; for the better and more effectual ſecuring the revenue of exciſe, and of the inland duties under the management of the commiſſioners of exciſe; and for preventing frauds therein; for the more punctual and ready payment of the allowances to be made to brewers out of the additional duties impoſed on malt; and for rectifying a miſtake in an act made in this preſent ſeſſion of parliament, with reſpect to the exempting of candles from the additional duty of five pounds per centum upon the duties of exciſe impoſed by the ſaid act,*) it was enacted, *That there ſhould be answered and paid to his Maſteſty, his heirs and ſucceſſors, for and upon all cocoa nuts then already, or which ſhould hereafter be imported into this kingdom, over and above all other duties then already payable for the ſame at the cuſtom-house, an inland duty after the rate of eighteen-pence each pound weight avoirdupois, and in that proportion for a greater or leſſer quantity, ſubject, to the additional impoſt of five pounds per centum, and of five pounds per centum, in the ſame manner, and under the ſame regulations, as the additional duty of five pounds per centum, and five pounds per centum, are granted to his Maſteſty by two ſeveral acts, the one made in the nineteenth year of his preſent Maſteſty's reign, (intituled, *An act for granting to his Maſteſty additional duties upon the produce of the ſeveral duties under the management of the reſpective commiſſioners of the cuſtoms and exciſe in Great Britain;*) and the other made in the twenty-fiſt year of his preſent Maſteſty's reign, (intituled, *An act for granting to his Maſteſty an additional duty upon the produce of ſeveral duties under the management of the reſpective commiſſioners of exciſe in Great Britain;*) and whereas the preſent high duty upon cocoa nuts may operate to the diſcouragement of the planters: now, for encouraging the growth of cocoa nuts in the ſaid iſlands and plantations, and the importation of the ſame into this kingdom, be it enacted by the authority aforeſaid, That, from and after the ſaid fiſth day of January, all cocoa nuts of the growth and produce of any of the Britiſh iſlands or plantations in America, ſhall, in lieu of the ſaid duty of eighteen-pence each pound weight avoirdupois, chargeable by the ſaid act, pay an inland duty of ſixpence per pound*

pound weight avoirdupois, and no more, for each pound weight avoirdupois, and in that proportion for a greater or leſſer quantity; and the perſons nominated by virtue of the ſaid recited act of the twenty-ſiſt year of his preſent Maſteſty, to manage and collect the ſaid duty of eighteen-pence *per* pound weight avoirdupois, ſhall, and are hereby impowered to take and receive the ſum of ſixpence *per* pound weight avoirdupois, and no more, for all cocoa nuts of the growth and produce of the *Britiſh* iſlands and plantations above mentioned; any thing in the ſaid act to the contrary notwithstanding.

&c. in America to pay an inland duty of 6d *per* pound, inſtead of 1s. 6d.

VI. Provided always, and be it enacted, That the ſaid duty of ſixpence *per* pound weight avoirdupois ſhall be applicable to the uſes and purpoſes contained and declared in the ſaid act of the twenty-ſiſt year of the reign of his preſent Maſteſty; and all officers employed in managing and collecting the ſame, and all perſons importing, ſelling, buying, or dealing in, ſuch cocoa nuts, ſhall be ſubject to the rules, liſtations, reſtrictions, forfeitures, and penalties, to be proſecuted, received, and divided, in the manner thereby preſcribed.

The ſaid duty to be applicable to the purpoſes contained in the act of 21 Geo. 3.

VII. And be it further enacted by the authority aforeſaid, That, from and after the ſaid fiſth day of *January*, no cocoa nuts ſhall be ſuffered to be put on board any ſhip or veſſel in any of his Maſteſty's iſlands or plantations in *America*, until the planter or grower of ſuch cocoa nuts, or his known agent, ſhall make oath or affirmation in writing, before two of his Maſteſty's juſtices of the peace, in or near to the place where the ſaid cocoa nuts grew, (which oath or affirmation ſuch juſtices are hereby impowered to adminiſter,) that the ſame is actually of the growth and produce of ſuch planter's or grower's plantation, lying in the diſtrict, diviſion, or pariſh of _____ within the iſland or colony of _____; which oath or affirmation ſhall be produced to the collector, comptroller, and naval officer, or any of them, by the perſon or perſons who ſhall enter on ſhip ſuch cocoa nuts, before the entry and ſhipping thereof for *Great Britain*; and ſuch perſon or perſons ſhall likewiſe make oath or affirmation before the ſaid officers, or any two of them, That the cocoa nuts then to be ſhipped are the very ſame cocoa nuts, and no other than what are mentioned in ſuch oath or affirmation of the planter or grower, or his known agent, as aforeſaid; which oath or affirmation the collector and comptroller of the cuſtoms, and naval officer, at the port where the ſaid cocoa nuts are to be loaded, or any two of them, are impowered to adminiſter; and the ſaid collector and comptroller, and naval officer, are hereby required to deliver a certificate of ſuch affidavit or affirmation, under their reſpective hands and ſeals, to the commander or maſter of ſuch ſhip or veſſel on board of which the ſaid cocoa nuts are to be ſhipped; and the maſter, or perſon having command of ſuch ſhip or veſſel, ſhall, before clearing his ſhip or veſſel, alſo make oath in like manner, that he has received ſuch cocoa nuts on board his ſhip or veſſel, and that he has no more or other cocoa nuts

From Jan. 5. 1784 no cocoa nuts to be put on board any veſſel in the *Britiſh* iſlands, &c. in *America*, until the planter thereof, &c. has made oath that they are the produce of his own plantation.

Such oath to be produced to the proper officer before entry of the nuts, and another oath to be taken.

Maſter of the veſſel alſo to be ſworn.

Certificates of such affidavits to be produced to the proper officer at the port of importation.

on board his ship or vessel than such for which proofs shall be made as aforesaid, and that he will not take or receive any more cocoa nuts on board before his arrival in *Great Britain*; and making a report of his lading there; for which affidavit or affirmation and certificate, the said collector and comptroller, or naval officer, shall receive, as a fee or reward, the sum of five shillings, and no more; and all certificates of such affidavits or affirmations shall, by the commander or master of such ship or vessel importing such cocoa nuts into this kingdom, be produced by such master, or person having command of the ship or vessel, to the collector and comptroller of the customs at the port where such ship shall uplade, at the time of making his report; and shall at the same time deliver to such collector and comptroller a certificate, under the hands and seals of the collector and comptroller of the customs, and naval officer, of the port or place where such cocoa nuts shall have been shipped, or any two of them, testifying the particular quantities of such cocoa nuts which shall be so laden, and of which such proofs shall be made as aforesaid, specifying the package or packages in which the same is contained, with the particular marks, numbers, and weights of each package; and the said master shall likewise make oath, or, if he be one of the people called *Quakers*, solemnly affirm before them, that the cocoa nuts in the said certificate or certificates mentioned were truly taken on board, as in the said certificate or certificates is expressed; and that after his departure from the place or places where such cocoa nuts, mentioned in such certificate or certificates, were laden, he did not take on board, or permit to be laden on board his said ship or vessel, either at sea or elsewhere, any parcel or parcels of cocoa nuts, and that all the cocoa nuts on board his said ship are mentioned and set forth in the said certificate or certificates; and, upon the entry of such cocoa nuts at the custom-house, and paying or securing the several duties then due thereon, a mark shall be set on every parcel, denoting it to contain cocoa nuts of the growth of the *British* plantations, and where and by what ship imported; and thereupon such parcel and parcels of cocoa nuts, so marked, shall be lodged in a warehouse or warehouses, pursuant to the directions of of the said act, made in the tenth year of the reign of his late majesty King *George* the First; and the importer or proprietor of any parcel or parcels of cocoa nuts, or any other person who shall be employed by such importer or proprietor to make an entry with the receiver or collector of the said inland duty, shall deliver to the said receiver or collector the said certificate or certificates of the affidavit or affirmation of the growth of the said cocoa nuts in the *British* plantations, made before the collector and comptroller of the customs, and naval officer, together with the said oath or affirmation made, as aforesaid, by the master of such ship or vessel at the port where such cocoa nuts were taken on board, together with the oath or affirmation, or a copy thereof, made by the planter or grower before two of his

Upon entry of such nuts at the custom-house, each parcel shall be marked, to denote they are the growth of the *British* plantations, &c.

his Majesty's justices of the peace there, in the manner before directed; as also the said certificate of the package, marks, and numbers of the cocoa nuts, so laden on board; which said certificate or certificates, oath or affirmation, shall remain with the said collector or receiver of the said inland-duty.

VIII. And be it further enacted by the authority aforesaid, That no commander, or other person having charge of any ship or vessel, shall take in, or permit to suffer to be taken in, at any of his Majesty's said islands or plantations in *America*, or at sea, on board, or in any creek, harbour, or other place in *America*, or shall land, or suffer or permit to be landed, out of any ship or vessel in any of the said islands or plantations, any cocoa nuts of the growth or produce of any foreign country, (except such cocoa nuts as shall be regularly exported from *Great Britain*;) on pain of forfeiting all such cocoa nuts, and the sum of two hundred pounds, and likewise shall suffer twelve months imprisonment; such forfeiture to be sued for, recovered, and adjudged, in any court of record in any of his Majesty's dominions in *Europe*, or in any of his Majesty's islands or plantations; and what shall be recovered in pursuance of this act, in any court of record in any of his Majesty's dominions in *Europe*, shall be paid, one moiety to his Majesty, and the other moiety to the person or persons who shall inform and sue for the same; and what shall be recovered in the said islands or plantations shall be divided, one third to his Majesty, one third to the governor or commander in chief, and the other third to the person or persons who shall inform or sue for the same.

Penalty on commanders who shall take on board, or land, in *America*, &c. any cocoa nuts of foreign growth.

(exception.)

Application of penalties.

IX. And be it enacted by the authority aforesaid, That if any person shall falsely make any oath or affirmation, by this act directed to be made, and thereof shall be legally convicted in any of his Majesty's courts of record in *Great Britain*, or in any of the courts of admiralty in any of the said plantations where such offence was committed, such person or persons, so guilty, shall forfeit the sum of two hundred pounds, and be imprisoned for the space of twelve months; and if any person shall forge or counterfeit a certificate of the said oath or affirmation, or shall publish such certificate, knowing the same to be forged or counterfeited, and shall be legally convicted thereof in any of the courts aforesaid, such person shall forfeit the sum of two hundred pounds; and such forfeiture shall be paid, one moiety to his Majesty, and the other moiety to the person or persons who shall inform and sue for the same, to be recovered and divided as is before directed and appointed.

Persons swearing falsely under this act,

or forging a certificate, &c.

shall forfeit 200l.

X. And be it further enacted by the authority aforesaid, That the several duties by this act imposed on coffee and cocoa nuts, the growth and produce of *British* islands and plantations, shall be subject and liable to additional duties or imposts of five pounds *per centum*, five pounds *per centum*, and five pounds *per centum*, severally imposed by the acts respectively made in the nineteenth, twenty-first, and twenty-second years of the reign of his present Majesty, upon the produce and amount thereof;

The duties by this act imposed on coffee and cocoa nuts, shall be liable to the additional 5 per cents. granted by three acts of 19, 21, and 22 Geo. 3.

and that ſuch additional duties or impoſts of five pounds *per centum*, five pounds *per centum*, and five pounds *per centum*, ſhall be raiſed, levied, collected, and paid, in the ſame manner, and under the ſame rules and regulations, powers and authorities, ways, means, and methods, as the ſaid additional duties or impoſts are by the ſaid acts of the nineteenth, twenty-ſiſt, and twenty-ſecond years of his preſent Maſeſty's reign, directed to be collected and paid.

Limitation of actions.

XI. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be brought or commenced againſt any perſon or perſons, for any matter or thing by him or them done or executed by virtue of or in purſuance of this act, ſuch action or ſuit ſhall be commenced within three months next after the matter or thing done, and ſhall be laid in the proper county; and the defendant or defendants in ſuch action or ſuit ſhall and may plead the general iſſue, and give this act, and the ſpecial matter, in evidence at any trial to be had thereon, and that the ſame was done in purſuance of and by authority of this act; and if afterwards a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their action or proſecution, or judgement ſhall be given againſt him, her, or them, upon demurrer or otherwiſe, then ſuch defendant or defendants ſhall have treble coſts awarded to him or them, againſt ſuch plaintiff or plaintiffs.

General iſſue.

Treble coſts.

C A P: LXXX.

An act for appointing commissioners to enquire into the loſſes and ſervices of all ſuch perſons who have ſuffered in their rights, properties, and profeſſions, during the late unhappy diſſentions in America, in conſequence of their loyalty to his Maſeſty, and attachment to the Britiſh government.

Preamble.

WHEREAS, during the late unhappy diſſentions in America, many of your Maſeſty's faithful ſubjects have, in conſequence of their loyalty to your Maſeſty, and attachment to the Britiſh government, and their obedience to your Maſeſty's proclamation, and various other proclamations and manifeſtoes, iſſued by your Maſeſty's commissioners, generals, and governors, ſuffered in their rights, properties, and profeſſions, inſomuch that ſeveral well-deſerving perſons are reduced from affluence to circumſtances ſo ſtraightened as to require the aid of a temporary ſupport, which has been allotted to them by the commissioners of the treaſury, by annual allowances made, and occaſional aſſiſtance by ſums of money given to them from the revenues of your Maſeſty's civil liſt, the amount of which has hitherto been made good by parliament; and your faithful commons not doubting but that your Maſeſty's moſt earneſt endeavours will be employed for procuring from the united ſtates of America reſtitution of or recompence for the eſtates and effects of thoſe who have thus unhappily ſuffered, and intending to give all due aid and aſſiſtance to thoſe who may return to America for the recovery of

of their former poffeffions under the provisional articles, and to extend fuch relief to others who may, by particular circumftances, be deprived of that advantage, as their refpective cafes may require, and the publick afford, to which end, it is neceffary that a diligent and impartial enquiry fhould be made into the loffes and fervices of all fuch perfons as may, within the time herein-after limited for that purpofe, claim or request fuch aid or relief as is hereby intended to be given: We pray your Majefty that it may be enacted; and be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That *John Wilmet* efquire, *Daniel Parker* Coke efquire, colonel *Robert Kingfton*, colonel *Thomas Dundas*, and *John Marfh* efquire, fhall be; and they are hereby conftituted commissioners for enquiring into the refpective loffes and fervices of all fuch perfon and perfons who have fuffered in their rights, properties, and poffeffions, during the late unhappy diffentions in *America*, in confequence of their loyalty to his Majefty, and attachment to the *British* Government.

Commissioners appointed for enquiring into the loffes and fervices of the American loyalifts.

II. And be it further enacted, That any three commissioners in this act named, before they enter upon the execution of the fame, fhall take an oath before the mafter of the rolls for the time being, or one of his Majefty's juftices of the court of *King's Bench*, *Common Pleas*, or barons of the *Exchequer*, (which they, or either of them, are hereby authorized and required to adminifter,) in the form following; that is to fay,

Commissioners to be sworn.

I A. B. do fwear, That, according to the beft of my skill and knowledge, I will faithfully, impartially, and truly execute the feveral powers and trusts vefted in me by an act, (intituled, An act for appointing commissioners to enquire into the loffes and fervices of all fuch perfons who have fuffered in their rights, properties, and poffeffions, during the late unhappy diffentions in *America*, in confequence of their loyalty to his Majefty, and attachment to the *British* government,) according to the tenor and purport of the faid act. The oath.

And every other of the faid commissioners in this act named, fhall likewise take the fame oath, before the faid three commissioners, who are hereby authorized and required to adminifter the fame, after they fhall themfelves have taken the faid oath as aforefaid.

III. And be it further enacted, That it fhall and may be lawful to and for the faid commissioners, or any three or more of them, and they are hereby authorized, impowered, and required, to examine, upon oath, (which oath they, or any three or more of them, are hereby authorized to adminifter,) all perfons whom the faid commissioners, or any three or more of them, fhall think fit to examine touching all fuch matters and things as fhall be neceffary for the execution of the powers vefted in the faid commissioners by this act; and all fuch per-

Commissioners may examine parties on oath.

sons

sons are hereby directed and required punctually to attend the said commissioners at such time or place as they, or any three or more of them, shall appoint.

Commissioners to meet at the office of the late secretary for America.

Their powers.

IV. And be it enacted by the authority aforesaid, That the said commissioners, or any three or more of them, are hereby authorized to meet and sit, from time to time, at the office of the late secretary of state for the *American* department, with or without adjournment, and to send their precept or precepts, under their hands and seals, for any person or persons whatsoever, and for such books, papers, writings, or records, as they shall judge necessary for their information in the execution of the powers vested in the said commissioners by this act; and the said commissioners, or any three or more of them, are hereby authorized to appoint and employ such clerks, messengers, and officers, as they shall think meet; which clerks and officers are hereby required faithfully to execute and perform the trust in them severally and respectively reposed, without taking any thing for such their service, other than such salary or reward as the said commissioners, or any three or more of them, shall think fit to direct and appoint in that behalf.

Persons who deliver in fraudulent claims, to be excluded from any compensation.

V. And be it enacted by the authority aforesaid, That if it shall appear to the said commissioners that any person shall have delivered to them an account or claim beyond the real loss, with an intent to obtain more than a just compensation, the said commissioners shall, with all convenient dispatch, report such account or claim, with the evidence taken thereupon, to the commissioners of his Majesty's treasury, who are hereby authorized to make such further enquiry upon the case as they shall think proper; and if they, or any three of them, shall be of opinion that such account or claim is fraudulent, then such person shall be absolutely excluded from any compensation or provision whatsoever.

Persons wilfully giving false evidence, to be liable to the penalties of corrupt perjury.

VI. And be it further enacted by the authority aforesaid, That in case any person or persons, upon examination upon oath before the said commissioners respectively, as before mentioned, shall wilfully and corruptly give false evidence, every such person so offending, and being thereof duly convicted, shall be, and is and are hereby declared to be subject and liable to such pains and penalties as, by any law now in being, persons convicted of wilful and corrupt perjury are subject and liable to.

Limitation of the time for receiving claims.

Commissioners to give an account of their proceedings to the treasury, and to the secretaries of state.

VII. And be it further enacted, That no claim or request of any person or persons for aid or relief on account of the loss of any property during the late dissensions in *America*, shall be received after the twenty-fifth day of *March*, one thousand seven hundred and eighty four.

VIII. And be it further enacted, That the said commissioners shall, from time to time, at their discretion, or as often as they shall be thereunto required, and as soon as possible after the determination of their examinations and proceedings by virtue of this act, without any further requisition, give an account

count of their proceedings, in writing, to the lords commissioners of his Majesty's treasury, and to his Majesty's principal secretaries of state, for the time being.

IX. And be it further enacted, That the lords commissioners of the treasury, or lord high treasurer, for the time being, are hereby authorized and required to issue and cause to be paid all such sums of money, not exceeding two thousand pounds, to such person or persons as the said commissioners, or any three or more of them, shall, by writing under their hands, desire or direct, out of any part of the public monies remaining in his Majesty's exchequer; which sum so issued and paid, shall be employed for the payment of clerks, messengers, and other officers, and in defraying all other necessary charges in or about the execution of the powers of this act, and in such manner and in such proportions, as shall be appointed by the said commissioners, or any three or more of them, by writing under their hands and seals in that behalf; the same to be accounted for, by the person or persons to whom the same shall be issued and paid, according to the course of his Majesty's exchequer without any fee or other charges to be taken on the passing of the said accounts, other than such sum as the said commissioners, or any three or more of them, shall appoint.

Treasury to pay 2,000l. to the order of the commissioners;

to be employed in paying clerks, messengers, &c.

X. And be it further enacted by the authority aforesaid, That in case of a vacancy or vacancies, by death or resignation of any one or more of the said commissioners, during the recess of parliament, it shall and may be lawful for his Majesty to nominate and appoint such person or persons as he may think proper to supply such vacancy or vacancies; and that every person so nominated and appointed shall be held and considered to be invested with all the same powers as are delegated to the commissioners appointed by this act.

In case of vacancy, by death, &c. of a commissioner, during the recess of parliament, his Majesty may appoint another.

XI. And be it further enacted, That this act shall continue in force for two years from the passing of this act and no longer.

Continuance of this act.

C A P. LXXXI.

An act for preventing the exportation of corn, grain, or meal, with a bounty, during the operation of two acts passed in this present session of parliament for allowing the importation of corn.

Recital of cap. 1. of the present session. No bounty to be paid on exportation of corn from England, before Aug. 26, 1783; nor from Scotland, before Sept. 26, 1783. Recital of c. 53, of the present session. No bounty to be paid on exportation of corn from certain counties in Scotland, during the allowance of importation by the King and council.

C A P. LXXXII.

An act for establishing certain regulations in the receipt of his Majesty's exchequer.

WHEREAS it appears, from the reports made by the commissioners appointed to examine, take and state the public accounts

Preamble.

accounts

accounts of the kingdom, that in the receipt of his Majesty's exchequer there are several useless, expensive, and unnecessary offices; and that the emoluments arising from other of the offices in the said receipt of exchequer, are become excessive; and that the mode of paying the officers by allowances, fees, and gratuities, is inconvenient both to the public and to individuals: for remedy whereof, be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by the authority of the same, That the several offices of the two chamberlains, the tally cutter, and of the usher of the exchequer, shall, from and after the death, surrender, forfeiture, or removal, of the present possessors of such offices respectively, and after the death, surrender, forfeiture, or removal, of the persons respectively entitled thereto, after the death, surrender, forfeiture, or removal, of the present possessors, be abolished.

The offices of the two chamberlains, tally cutter, and usher of the exchequer, after the death, &c. of the present possessors, and those entitled after them, to be abolished.

Upon the death, &c. of the chamberlains, an indented cheque receipt to be substituted instead of the tally now used, &c.

II. And be it enacted, That, upon the death, surrender, forfeiture, or removal, of the two chamberlains in the receipt of his Majesty's exchequer, instead of the tally now in use to denote the receipt of money at the said receipt, there shall be substituted an indented cheque receipt of each sum so received; which receipt shall be made out by the officer of the auditor attending in the tally court, signed by him, and by the officer of the clerk of the pells; and upon passing any account of money received, the receipt shall be produced, together with the account, and examined with the counterfoil of the cheque in the office of the auditor; and the account shall be compared with the entry in the office of the auditor, and with the record in the office of the clerk of the pells; and the truth of the account shall be certified by the officers checking the same; and the custody of one of the keys to the tellers chests, the standard weights and measures, and the standard pieces of gold and silver, shall be committed to the auditor of the receipt of his Majesty's exchequer; any former usage or custom to the contrary notwithstanding.

Upon the death, &c. of the present usher, and of his successor such necessary articles which have been provided by the usher, shall be supplied by the presiding officer in each office.

III. And be it enacted, That, upon the death, surrender, forfeiture, or removal, of the usher of the exchequer, and upon the death, surrender, forfeiture, or removal, of the person entitled to the said office, after the death, surrender, forfeiture, or removal, of the present possessor of the said office, the chief or presiding officer, in each respective office in the said receipt of exchequer, shall supply his office with all such necessary articles as have been heretofore provided by the usher of the said receipt; and such chief or presiding officer shall be allowed such annual sum of money, for and in lieu of all such necessary articles, so heretofore provided by the usher of the said receipt, as shall be appointed by the commissioners of his Majesty's treasury.

After the determination of the interest of

IV. And be it enacted, That, from and after the determination of the interest of each of the four tellers in the receipt of his Majesty's exchequer, the office of second clerk to each respective

respective teller shall be, and the same is hereby abolished; and the proportion of fees, now belonging to such second clerks, shall be carried to, and made part of, the monies herein-after directed to be reserved for the purposes in this act mentioned.

V. And be it enacted, That from and after the death, surrender, forfeiture, or removal, of the present auditor, of the present clerk of the pells, of any or either of the four tellers, or two chamberlains of the receipt of his Majesty's exchequer, the payment of all salaries, fees, allowances, perquisites, gratuities, and emoluments, to the said several officers in the receipt of the exchequer, shall cease and be discontinued; and that in lieu and instead thereof, there shall be paid to the auditor the sum of four thousand pounds *per annum*; to the chief clerk of the auditor, one thousand pounds *per annum*; to the clerk of the pells, three thousand pounds *per annum*; to the first clerk to the clerk of the pells, eight hundred pounds *per annum*; to the first clerk to the clerk of the pells, as receiver of the money arising from the fees herein-after directed to be received, two hundred pounds *per annum*; to each of the four tellers, two thousand seven hundred pounds *per annum*; to each of the first clerks to the said four tellers, one thousand pounds *per annum*; and the said auditor, clerk of the pells, and four tellers respectively, are hereby empowered to appoint such other clerks and officers, to assist in their respective offices, as they shall judge necessary; and such clerks and other officers shall be paid such salaries out of the fees herein-after directed to be received for their trouble and attendance in the offices aforesaid, as to the said auditor, clerk of the pells, and four tellers respectively, shall appear fit and proper; subject, nevertheless, to the controul and approbation of the commissioners of his Majesty's treasury for the time being; which shall be accepted by them in lieu of all fees, allowances, gratuities, and emoluments, heretofore paid to or received by them; and such salaries as aforesaid shall be paid and payable out of the fees herein-after directed to be received; and if any of the officers aforesaid (except the person or persons herein-after directed to receive such fees) shall receive or demand any fees, allowances, gratuities, or emoluments, every such officer so offending, shall be adjudged to have forfeited his office, and his office is hereby declared to be forfeited accordingly; and being convicted thereof in due form of law, shall moreover be subject and liable to the penalties inflicted by law for extortion.

VI. And be it enacted, That upon the death, surrender, forfeiture, or removal, of any or either of the four tellers or two chamberlains of the said receipt of exchequer, the proportion of fees belonging to the respective officer so dying, surrendering, forfeiting, or being removed, shall be carried to, and made part of the monies arising from the fees herein-after directed to be reserved for the payment of the several sums directed to be paid by this act; and the officer who shall succeed to the respective office, so vacant by death, surrender, forfeiture,

the tellers, the office of second clerk to be abolished.

Alter the death, &c. of the present auditor clerk of the pells, &c. the payment of gratuities, fees, &c. to the officers shall cease. Certain sums to be paid them instead thereof.

After which officers receiving fees (except, &c.) shall forfeit their offices.

On death, &c. of tellers, or chamberlains, how their proportion of fees shall be disposed of.

ture, or removal as aforeſaid, his reſpective deputy and clerks, ſhall be paid their reſpective ſalaries, herein-before directed to be allowed to them reſpectively, out of ſuch monies ſo directed to be reſerved as aforeſaid.

Clause relative to the tally cutter and his deputy.

VII. And be it enacted, That in caſe of the death, ſurrender, forfeiture, or removal, of the tally cutter, before the death, ſurrender, forfeiture, or removal, of the two chamberlains, the ſaid office of tally cutter ſhall be diſcontinued, and the duty of ſuch office ſhall be executed by the deputy of ſuch tally cutter, who ſhall be paid his ſalary or allowance out of the monies ſo reſerved as aforeſaid, and the fees and gratuities now paid to and received by the tally cutter ſhall be carried to and made part of the monies ariſing from the fees herein-after directed to be reſerved for the payment of the ſeveral ſums directed to be paid by this act.

Taxes how to be paid.

VIII. And be it enacted, That all taxes, to which the officers aforeſaid are now ſubject, ſhall be paid out of the monies ariſing by the fees herein-after directed to be received.

Fees to whom to be paid;

IX. And be it enacted, That, the ſame fees and gratuities that are now allowed and taken by the ſeveral and reſpective officers aforeſaid, ſhall ſtill continue to be paid and received by the firſt clerk to the clerk of the pells, who is hereby authorized and appointed to receive the ſame, or, in his abſence, by the next ſenior clerk in the pell office, who ſhall give ſuch ſecurity for duly accounting for the ſame, as ſhall be approved of by the commiſſioners of his Maſteſty's treaſury for the time being; and a particular and diſtinct account ſhall be kept thereof, and ſhall be accounted for to the commiſſioners of his Maſteſty's treaſury for the time being, who are hereby required to direct the ſurplus, if any ſhall remain after the payment of the reſpective ſums herein-before directed to be paid, to be carried to the account of the monies applicable to the uſes of his Maſteſty's civil government, and to the fund commonly called *the Sinking Fund*, in the proportions following; that is to ſay, one third part thereof to the account of the monies applicable to the uſes of his Maſteſty's civil government, and the remaining two third parts thereof to the ſaid ſinking fund; but in caſe the fees, herein-before directed to be reſerved for paying the ſeveral ſums directed by this act to be paid thereout, ſhall not be ſufficient to answer and pay the ſame, then, and in that caſe, the ſame ſhall be paid and payable out of the monies applicable to the uſes of his Maſteſty's civil government, and out of ſuch of the monies of the ſaid ſinking fund as are not directed to be applied by any act or acts of parliament, in the proportions herein-before mentioned.

Houſes appropriated for the uſe of the auditor, and other officers, ſhall, after their deaths, &c. be veſted in his Ma-

X. And be it enacted, That the houſes at preſent appropriated for the uſe of the auditor, the four tellers, and of the officer of the receipt of his Maſteſty's exchequer, ſhall after the death, ſurrender, forfeiture, or removal, of the preſent officers, or any or either of them, be no longer annexed to their reſpective offices, but ſhall be veſted in his Maſteſty, his heirs and ſucceſſors.

XI. And

XI. And be it enacted, That from and after the passing of this act, it shall not be lawful to grant any office in the receipt of his Majesty's exchequer, either in possession or reversion, in any other manner than subject to the directions of this act.

No office in the exchequer to be granted contrary to this act.

C A P. LXXXIII.

An act for granting relief to the united company of merchants of England trading to the East Indies, by allowing further time for the payment of certain sums due, and to become due to the public, and by advancing to the said company, on the terms therein mentioned, a certain sum of money to be raised by loans or exchequer bills; and to enable the said company to make a dividend of four pounds per centum to the proprietors at Christmas, one thousand seven hundred and eighty-three; and to regulate the future payment of debentures of drawbacks on East India goods.

WHEREAS the united company of merchants of England trading to the East Indies, stand indebted to his Majesty, for customs on goods imported, in sundry sums of money, amounting together to the sum of six hundred forty-four thousand seven hundred forty-three pounds, seventeen shillings, and two pence, after making certain deductions and allowances, to which by law the said company are intitled on due payment of the said customs on or before the respective days on which the same become due; which said customs became due at the several and respective times herein-after mentioned; (that is to say), the sum of one hundred sixty-three thousand three hundred sixty-seven pounds, twelve shillings, and four pence, part thereof, on the first day of December, one thousand seven hundred and eighty one; the sum of one hundred ninety-one thousand eight hundred sixty-eight pounds, four shillings, and eight pence, other part thereof, on the twenty-third day of January, one thousand seven hundred and eighty-two; the sum of fifteen thousand nine hundred thirty-one pounds, and seventeen shillings, other part thereof, on the twenty-second day of February, one thousand seven hundred and eighty-two; the sum of two thousand one hundred and fifty pounds, four shillings, and seven pence, other part thereof, on the twenty-third day of February, one thousand seven hundred and eighty-two; the sum of twenty-three thousand one hundred forty-eight pounds, four shillings, and four pence, other part thereof, on the twenty-sixth day of February, one thousand seven hundred and eighty-two; the sum of forty-two thousand one hundred and five pounds, six shillings, and ten pence, other part thereof, on the twentieth day of March, one thousand seven hundred and eighty-three; and the sum of two hundred and six thousand one hundred seventy-two pounds, seven shillings, and five pence, residue thereof, on the first day of June, one thousand seven hundred and eighty-three: and whereas the said united company will become further indebted to his Majesty for other customs on goods, before the tenth day of December, one thousand seven hundred and eighty-three, in further sums

Recital of the sums due from the company to his Majesty.

Recital of
21 Geo. III,
cap. 65.

of money, to the amount of two hundred and seventy thousand pounds, or thereabouts: and whereas, by means of the said customs, already due and hereafter to become due, not being paid at the respective times the same became due or shall become due, as aforesaid, the said company, besides losing the benefit of the said deductions and allowances, are and will be liable to pay interest for the same, at and after the rate of six pounds per centum per annum: and whereas, by an act made in the twenty-first year of the reign of his present Majesty, (intituled, An act for establishing an agreement with the united company of merchants of England trading to the East Indies, for the payment of the sum of four hundred thousand pounds, for the use of the publick, in full discharge and satisfaction of all claims and demands of the publick from the time the bond debt of the said company was reduced to one million five hundred thousand pounds, until the first day of March, one thousand seven hundred and eighty-one, in respect of the territorial acquisitions and revenues lately obtained in the East Indies; and also for securing to the publick in respect thereof, for a term therein mentioned, a certain part or proportion of the clear revenues and profits of the said company; and for granting to the said company, for a further term, the sole and exclusive trade to and from the East Indies, and limits therein mentioned; and for establishing certain regulations for the better management of the affairs of the said company, as well in India as in Europe, and the recruiting the military forces of the said company) it was amongst other things enacted, That the sum of four hundred thousand pounds should, by the said united company, be paid into the receipt of his Majesty's exchequer, at the times and in the proportions therein mentioned; the last of which payments was of the sum of one hundred thousand pounds, and was to have been made on the first day of December, one thousand seven hundred and eighty-one, for the use of the publick, as therein is mentioned; and in case the said united company should make failure in any of the said payments, on or before the days therein mentioned, then the money whereof such failure in payment should be made, should be recovered to his Majesty's use by such action or suit as therein is mentioned; and upon such action or suit there should be further recovered to his Majesty's use, against the said united company, damages after the rate of fifteen pounds per centum per annum, for the respective monies so unpaid contrary to the said act, together with full costs of suit: and it was thereby further enacted, That, from and after the first day of March, one thousand seven hundred and eighty-one, for and during so long time as the said united company, under the authority of that act, should be intituled to the whole, sole, and exclusive trade and traffick in, to, and from the East Indies, and places aforesaid, the whole clear profits arising from the said territorial acquisitions and revenues, after defraying the charges and expences attending the same, together with all the clear revenues and profits of the said company, after providing for the current payment of interest, and other outgoings, charges, and expences of the said company, should from time to time be disposed of and applied in man-
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net therein and herein-after mentioned; (that is to ſay), it ſhould be lawful for the ſaid united company to ſet apart and retain, in the firſt place, in each and every year, ſuch ſum as ſhould be equal to eight pounds per centum per annum, upon the capital ſtock of the ſaid united company of three millions two hundred thouſand pounds; and in caſe there ſhould remain a ſurplus of the ſaid clear revenues and profits, above the ſaid ſum of eight pounds per centum per annum; ſo to be retained by the ſaid united company as aforeſaid, three fourth parts of ſuch ſurplus profits ſhould be ſet apart and applied for the uſe of the publick, and the remaining one fourth part thereof ſhould be reſerved and retained by the ſaid united company for their own uſe: and it was thereby further enacted, That it ſhould be lawful for the ſaid united company to apply ſuch money as they were therein before authorized to retain to themſelves, and alſo other money in the ſaid act mentioned, in the payment of dividends to the proprietors of the ſtock of the ſaid united company, not exceeding the rate of twelve pounds and ten ſhillings per centum per annum, provided the band debt of the ſaid united company did not at any ſuch time exceed one million five hundred thouſand pounds; and provided that they did not increaſe the preſent dividend of eight pounds per centum per annum more than at the rate of one pound per centum in each and every year; and, in order to aſcertain the yearly nett profits oriſing from the ſaid united company's trade and revenues, it was further enacted, That the ſaid united company ſhould cauſe to be made up yearly, for each and every year, during the term therein mentioned, with as much accuracy as the nature of the caſe would admit, a ſtatement of the profit and loſs upon the whole of the trade and revenues of the ſaid united company, together with a ſtate of the debts of the ſaid united company in England, from the firſt day of March in every year, to the firſt day of March in each ſucceeding year; which ſaid account was to be ſigned and delivered to the commiſſioners of his Majeſty's treasury, or the high treaſurer for the time being, as therein is mentioned: and whereas a ſtatement hath been duly made up of the profit and loſs upon the whole of the trade and revenues of the ſaid united company from the firſt Day of March, one thouſand ſeven hundred and eighty-two, to the firſt day of March, one thouſand ſeven hundred and eighty-three; whereby it appears, that the nett profits of the ſaid united company in that year did not amount to ſo much as a dividend upon the ſtock of the ſaid united company at the rate of eight pounds per centum per annum, by the ſum of two hundred fifty-five thouſand eight hundred and thirteen pounds: and whereas the payment of the ſaid ſum of ſix hundred forty-four thouſand ſeven hundred forty-three pounds, ſeventeen ſhillings and two-pence, which became due for cuſtoms at ſuch ſeveral times as herein-before are mentioned, and of the ſaid ſum of one hundred thouſand pounds, which became due on the firſt day of December, one thouſand ſeven hundred and eighty-one, hath been poſtponed, and further time allowed for the payment thereof until the tenth day of Auguſt, one thouſand ſeven hundred and eighty-three, by the ſaid commiſſioners of his Majeſty's treasury, purſuant to power to them for that purpoſe given in and by an act made in

this present session of parliament, (intituled, An act to discharge and indemnify the united company of merchants of England trading to the East Indies, from all damages, interest, and losses, in respect to their not making regular payment of certain sums due, and to become due, to the publick, and to allow further time for such payment; and to enable the company to borrow a certain sum of money; and to make a dividend of four pounds per centum to the proprietors at Midsummer, one thousand seven hundred and eighty-three); and by the same act, in order to give a temporary relief to the said united company, in respect to their commercial debts, it was enacted; That it should be lawful for the said united company to borrow money upon, and issue bonds under their common seal, as the affairs of the said company might require, not exceeding the sum of five hundred thousand pounds beyond the amount of the company's then present bond debt: and whereas the issuing of such bonds as aforesaid will encrease the said company's bond debt beyond the sum of one million five hundred thousand pounds: and whereas, by means of the expences of the wars and hostilities in India and in Europe, the said company is become much distressed in their affairs at home: upon consideration whereof, it is found necessary to grant further relief to the said company, by allowing further time for the payment of the said debts; due and to become due to his Majesty, and by lending the said company a further sum of money, as herein-after mentioned; and it is fit and expedient that the said company should be allowed to continue their present dividend at Christmas next, at the rate of eight pounds per centum per annum; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for the commissioners of his Majesty's treasury for the time being, or any three or more of them, to postpone and allow further time for the payment of the said sum of six hundred forty-four thousand seven hundred forty-three pounds, seventeen shillings, and two-pence, which became due for customs at such several times as herein-before are mentioned, and of the said sum of one hundred thousand pounds, which became due on the first day of December, one thousand seven hundred and eighty-one, and to allow time for payment of such sums as shall become due for customs before the tenth day of December, one thousand seven hundred and eighty-three, or any part or parts of the said several sums respectively, unto such time or times as they shall think fit, not exceeding forty days next after the commencement of the next session of parliament; and if the said united company do and shall pay the said sums respectively, at such time or times to which the said payments, or any part thereof respectively, shall be postponed as aforesaid, the same shall be accepted and received in like manner as if the said sums respectively had been paid on or before the several and respective days on which the said

Commissioners of the treasury empowered to allow the company further time for payment of the sums due, and to become due, to his Majesty.

said sums became due; and the said united company, upon such payment at such postponed time or times, shall be freed and discharged from all damages, interest, and losses, which they became liable to by means of not having made the said payments respectively at the several times on which the same became due; and shall be intitled unto, and have the same discounts, allowances, and advantages, as if the said sums respectively had been paid on or before the several and respective days on which they became due; any thing in the said recited acts, or any other act or acts of parliament, in any wise notwithstanding.

II. *And, in order to give further relief to the said united company in respect to their debts, and the better to enable them to pay the same,* we, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, do most humbly beseech your Majesty that it may be enacted; and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners of his Majesty's treasury now and for the time being, or any three or more of them, or for the high treasurer for the time being, and he and they respectively are or is hereby authorized and empowered, at any time or times before the tenth day of *October*, one thousand seven hundred and eighty-three, by his or their warrant or warrants, to direct, or cause to be prepared and made, at the receipt of his Majesty's exchequer, any number of exchequer bills, for such sum or sums of money as he or they shall think most proper and convenient, so as all the principal sums to be contained in the bills so to be made forth by virtue of this act, do not exceed in the whole the sum of three hundred thousand pounds, (exclusive of any exchequer bills that are or may be made forth by virtue of any other act or acts passed in this session of parliament, for the publick service); and the said exchequer bills, so to be made forth in pursuance of this act, shall bear an interest not exceeding the rate of four pounds and fifteen shillings *per centum per annum*, and proportionably for any greater or less sum to be contained therein, to be payable to the bearers thereof respectively; which said exchequer bills shall be made out in the like manner, form, and order, and according to the same or like rules and directions, as in and by an act of this present session of parliament, (intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty three*), are enacted and prescribed concerning the exchequer bills authorized to be made forth in pursuance of the said act; and the commissioners of his Majesty's treasury now or for the time being, or any three or more of them, or the high treasurer for the time being, are or is hereby authorized and empowered to direct the said exchequer bills to be delivered to or to the order of the court of directors of the said united company, to be by them passed away and negotiated for the purpose of raising money to pay

Commissioners of the treasury empowered to make exchequer bills to the amount of 300,000l.

to bear an interest of 4l. 15s. per cent. per annum.

The bills to be delivered to the court of directors, &c.

the debts, and to answer other the occasions and affairs of the said company.

All the clauses, &c. relating to exchequer bills, in the land tax act of this session,

(except, &c.)

shall be applied to the bills to be made in pursuance of this act.

Exchequer bills so issued not to be received again in payment of any taxes,

nor exchanged before April 6, 1786.

Action not to lie for such refusal.

Money so raised to be repaid out of the monies to be paid into the exchequer by the East India company;

III. And be it further enacted by the authority aforesaid, That all and every the clauses, provisos, powers, privileges, advantages, penalties, forfeitures, and disabilities, contained in the said last mentioned act, relating to the exchequer bills authorized to be made out by the same act, (except such clauses as do charge the same on the duties granted by the same act, and except such clauses as limit the rate of interest to be paid for the forbearance of the money lent on the credit of the said act, and also except as herein-after is mentioned), shall be applied and extended to the exchequer bills to be made forth in pursuance of this act, as fully and effectually, to all intents and purposes, as if the same exchequer bills had been originally authorized by the said last mentioned act, or as if the said several clauses or provisos had been particularly repeated and re-enacted in the body of this act.

IV. Provided always, and be it further enacted by the authority aforesaid; That no exchequer bill or bills, to be made out by virtue of this act, shall, after the same hath or have been issued at the receipt of the exchequer, be afterwards, at any time before the sixth day of *April*, one thousand seven hundred and eighty-six, received, or pass or be current to any receiver or collector in *Great Britain* of the customs, excise, or any revenue, supply, aid, or tax whatsoever, due or payable to his Majesty, his heirs or successors, or at the receipt of the exchequer, from any such receiver or collector, or from any other person or persons, bodies politick or corporate, otherwise or on any other account than for the discharge and cancelling of such bills, in case the same shall be due course or order of payment before the said sixth day of *April*; nor shall any receiver or collector exchange, at any time before the said sixth day of *April*, for any money of such revenues, aids, taxes, or supplies, in his hands, any exchequer bill or bills which shall have been issued as aforesaid by virtue of this act; nor shall any action be maintained against any such receiver or collector for neglecting or refusing to exchange any such bill or bills for ready money, before the said sixth day of *April*; any thing in the said act, made in this session of parliament, intitled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty-three*, or in this act, contained to the contrary notwithstanding.

V. And be it further enacted by the authority aforesaid, That all such exchequer bills, together with the interest, premium, rate, and charges, incident to or attending the same, shall be, and are hereby charged and chargeable upon, and shall be repaid and borne by and out of the monies to be paid into the receipt of his Majesty's exchequer, by the united company of merchants of *England* trading to the *East Indies*, in the manner and at the times herein-after directed and appointed; and

and in caſe ſuch monies, ſo to be paid into the receipt of the exchequer, ſhall not be ſufficient to ſatisfy and diſcharge all the principal monies contained in ſuch exchequer bills, together with all the intereſt, premium, rate, and charges, incident to and attending the ſame, and that ſhall incur and grow due thereupon before the ſaid ſixth day of April, then, and in ſuch caſe, the ſaid exchequer bills, or ſuch part thereof as ſhall remain unſatisfied and uncanceled, together with all the intereſt due and to grow due thereupon, and all other charges and expences incurred, or to be incurred, in reſpect of the ſame exchequer bills, ſhall be charged and chargeable upon, and payable out of, the firſt aids or ſupplies that ſhall or may be granted by parliament, for the ſervice of the year one thouſand ſeven hundred and eighty-fix; and in caſe ſufficient aids or ſupplies for that purpoſe ſhall not be granted before the fifth day of July, one thouſand ſeven hundred and eighty-fix, then all the ſaid exchequer bills, together with the intereſt, premium, rate, and charges, incident to or attending the ſame, ſhall be, and are hereby charged and chargeable upon ſuch monies as, at any time or times at or before the ſaid fifth day of July, ſhall be or remain in the receipt of the exchequer, of the ſurpluſſes, exceſſes, overplus-monies, and other revenues compoſing the fund commonly called the *Sinking Fund*, (except ſuch monies of the ſaid ſinking fund as are appropriated to any particular uſe or uſes by any act or acts of parliament in that behalf); and ſuch monies of the ſaid ſinking fund ſhall and may be iſſued and applied, as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards paying off, cancelling, and diſcharging, ſuch exchequer bills ſo remaining uncanceled and unpaid, together with the intereſt, premium, rate, and charges, until the whole of them ſhall be paid off, cancelled, and diſcharged, or money ſufficient for that purpoſe be kept and reſerved in the exchequer, to be payable on demand to the reſpective proprietors thereof.

and if ſufficient monies ſhall not be ſo paid in before April 6, 1786,

to be charged on the next parliamentary aid;

and collaterally on the ſinking fund.

VI. Provided always, and be it enacted by the authority aforeſaid, That whatever monies ſhall be ſo iſſued out of the ſaid ſurpluſſes, exceſſes, overplus-monies, and other revenues compoſing the ſaid ſinking fund, ſhall, from time to time, be replaced by and out of the firſt aids or ſupplies to be then after granted in parliament.

Monies ſo iſſued out of the ſinking fund, to be replaced out of the firſt ſupplies.

VII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the governor and company of the bank of *England* to advance or lend to his Maſteſty, at the receipt of the exchequer or to the ſaid united company, upon the credit of the exchequer bills directed to be made forth by virtue of this act, any ſum or ſums of money, not exceeding in the whole the ſum of three hundred thouſand pounds; any thing in an act, made in the fifth and ſixth years of the reign of king William and queen Mary, intituled, *An act for granting to their Maſteſties ſeveral rates and duties upon tonnage of ſhips and veſſels, and upon beer, ale, and other liquors, for ſecuring certain recompences and advantages in the ſaid act mentioned to ſuch*

Bank authorized to advance the ſaid ſum on the credit of this act;

an act 5 and 6 Gul. & Mariae notwithstanding.

persons as shall voluntarily advance the sum of one million five hundred thousand pounds, towards carrying on the war against France, to the contrary thereof in any wise notwithstanding.

How the profits arising from the territorial acquisitions, and the trade of the company, shall be applied.

VIII. And whereas, in the present circumstances of the East India company, it will not be in their power to provide for the payment of the said debts due to his Majesty, or for the repayment of such loan as aforesaid, and for again reducing their bond debt to one million five hundred thousand pounds, (which is expedient to be done), unless the public should agree to forego for the present, all participation in the profits arising from the territorial acquisitions and revenues lately obtained in the East Indies, in order that provision may be made for such payments as aforesaid; be it therefore further enacted by the authority aforesaid, That until the said debts due to his Majesty shall be paid, the said sum of three hundred thousand pounds repaid, and the bond debt of the said company be again reduced to one million five hundred thousand pounds, the whole clear profits arising from the said territorial acquisitions and revenues, after defraying the charges and expences attending the same, together with all the clear revenues and profits of the said company, after providing for the current payments of interest, and other outgoings, charges, and expences, of the said company, and for such dividends to the proprietors of the stock of the said company as they shall be intitled or allowed to make, receive, and take, shall from time to time be disposed of and applied in manner following; that is to say, In the first place, in diminution and payment of the said debts due to his Majesty, until the same shall be fully paid; and afterwards in diminution and payment of the said sum of three hundred thousand pounds, and interest, and for defraying the charges incurred in respect thereof; and then in reducing the bond debt of the said company until the same shall be reduced to one million five hundred thousand pounds.

After the debts due to his Majesty are paid, the surplus profits of the company to be paid into the exchequer.

Application thereof.

IX. And be it further enacted by the authority aforesaid, That after the said debts due to his Majesty shall be paid, and until the said sum of three hundred thousand pounds shall have been repaid, the said united company shall from time to time pay, or cause to be paid, into the receipt of his Majesty's exchequer, such surplus of the clear revenues and profits of the said company as is herein before directed to be applied in such payment; which said payments shall be made as often as the said company shall have money which can be appropriated for that purpose; and the same shall be applied, in the first place, for answering and paying all such interest, premium, rate and charges, as shall have grown due in respect of the exchequer bills made out, issued, and circulated as aforesaid; and in the next place, as far as the same will extend, for paying off, cancelling, and discharging, all such of the said exchequer bills as shall then remain uncanceled.

Company impowered to pay 4 per cent

X. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said united company to set apart and apply at Christmas next, so much money

money as shall be equal to four pounds *per centum* on the capital of three millions two hundred thousand pounds, as and for a dividend to the proprietors of the stock of the said company for half a year, from the fifth day of *July*, one thousand seven hundred and eighty-three, to the fifth day of *January*, one thousand seven hundred and eighty-four.

for the next half-yearly dividend.

XI. And be it further enacted by the authority aforesaid, That the said deficiency of two hundred fifty-five thousand eight hundred and thirteen pounds, appearing in the said annual account made up to the first day of *March*, one thousand seven hundred and eighty-three, shall be carried forward as a charge in the account of the present year.

Deficiency of 255,813l. in the last annual account, to be carried forward as a charge in this year's account.

XII. And whereas sundry drawbacks of part of the duties of customs payable on East India goods, are allowed on the exportation of such goods from this kingdom, the debentures for which drawbacks are often paid to the East India company as cash, in part of payment of goods sold at the company's sales: and whereas the said debentures cannot be received and allowed, by the officers of his Majesty's customs, in payment of any duties of customs other than the customs due for the same species of goods for which the said debentures are made, by reason whereof the said company are often obliged to keep the said debentures for a great length of time; be it therefore enacted by the authority aforesaid, That all and every debentures, for payment of any drawbacks of the duties of customs on East India goods, shall at all times be received from the united company of merchants of England trading to the East Indies, by the officers of his Majesty's customs, in payment of any kind of duties of customs due from the said united company on East India goods, in like manner as if such debentures were paid in for duties of customs due on the same kind of goods therein mentioned and contained.

Clause relative to payment of debentures of drawbacks on East India goods.

C A P. LXXXIV.

An act to enable his Majesty to raise a further sum of money by loans or exchequer bills, to pay off and discharge the debts due and owing on the civil list.—To raise 55,000l. as in the land tax act.

C A P. LXXXV.

An act for settling and securing a certain annuity for the use of the right honourable Sir George Augustus Elliott, knight of the most honourable order of the Bath, in consideration of the eminent services performed by him to his Majesty and this country.

Most gracious Sovereign,

WHEREAS your Majesty, by your most gracious message Preamble. to your faithful commons, has been pleased to signify your desire of conferring some signal mark of your royal favour upon the right honourable Sir George Augustus Elliott, knight of the most honourable

*honourable order of the bath, for the very distinguished and important services performed by him to your Majesty and this country, by his brave and gallant defence of Gibraltar, and for that purpose to grant to the said sir George Augustus Eliott, for the term of his life, and for the life of his son, Francis Augustus Eliott, an annuity of one thousand five hundred pounds per annum; but that it not being in your Majesty's power to grant the same, or to settle the said annuity beyond the term of your Majesty's own life, recommended it to the house to consider of a proper method of enabling your Majesty to grant the said annuity, and of settling and securing the same in the most effectual manner for the benefit of the said sir George Augustus Eliott: We, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, duly considering your Majesty's most gracious intention, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said sir George Augustus Eliott, his executors, administrators, and assigns, shall have, receive, and enjoy, at the receipt of the exchequer, for and during the natural lives, of him, the said sir George Augustus Eliott, and of his son, Francis Augustus Eliott, for and during the natural life of the longer liver of them, one annuity, or yearly rent or sum of one thousand five hundred pounds of lawful money of Great Britain, out of, and charged and chargeable upon, the duties and revenues which compose the fund, commonly called *The Aggregate Fund*, and every or any of them, (after paying, or reserving sufficient to pay, all such sum and sums of money as have been directed by any former act or acts of parliament to be paid out of the same; but with preference to all other payments which shall or may hereafter be charged upon or payable out of the said aggregate fund;) which said annuity, or yearly rent or sum, shall commence and take effect from the thirteenth day of September, which was in the year of our Lord one thousand seven hundred and eighty-two; the first payment to be computed from the said thirteenth day of September, which was in the year of our Lord one thousand seven hundred and eighty-two, until the fifth day of July, in the year of our Lord one thousand seven hundred and eighty-three, and from thenceforth shall be paid and payable at the four usual days of payment in the year; that is to say, the tenth day of October, the fifth day of January, the fifth day of April, and the fifth day of July, in each and every year, by even and equal portions.*

II. And it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners of his Majesty's treasury now being, and the high treasurer and under treasurer of the exchequer, and commissioners of the treasury for the time being, and they are hereby authorized and required, by warrant under their hands, to direct the auditor of the receipt of the exchequer now and for the time being,

A life annuity of 1,500l per ann. settled on sir George Augustus Eliott, and his son Francis Augustus Eliott;

to commence from Sept. 13. 1782, and to be paid quarterly.

The annuity to be paid at the exchequer, without fees.

being, to make forth and paſs debentures, from time to time, for paying the ſaid annuity, or yearly rent or ſum of one thouſand five hundred pounds, as the ſame ſhall from time to time become due and payable, without any fees or charges to be demanded or taken for paying the ſame, or any part thereof; which ſaid warrant, and the debentures to be made forth and paſſed thereupon, ſhall be a ſufficient authority to the ſeveral and reſpective officers of the receipt of the exchequer now and for the time being, for the payment of the ſaid annuity, or yearly rent or ſum of one thouſand five hundred pounds, to the ſaid ſir *George Auguſtus Eliott*, his executors, adminiſtrators, and aſſigns, at the reſpective quarterly feaſt days in this act before appointed for payment thereof, without any further or other warrant to be ſued for, had, or obtained, in that behalf.

III. And it is hereby further enacted by the authority aforeſaid, That after ſigning of ſuch warrant, the ſame ſhall be good, valid, and effectual in law, according to the purport and true meaning thereof, and of this act, and ſhall not be determinable or revocable by or upon the demife of his Maſteſty, (whom God long preſerve!) or of any of his heirs or ſucceſſors, or by or upon the death or removal of any of the ſaid commiſſioners of the treaſury, or the lord high treaſurer, or by or upon the determination of the power, office, or offices of them, or any of them.

The warrant for payment of the annuity not to be determinable upon the demife of his Maſteſty, &c.

IV. And be it further enacted by the authority aforeſaid, That the commiſſioners of the treaſury now being, and the high treaſurer of the treaſury for the time being, chancellor and under treaſurer, chamberlains and barons of the exchequer, and all other the officers and miniſters of the court of exchequer, and of the receipt thereof, now and for the time being, ſhall, and they are hereby authorized and ſtrictly enjoined and required to do, without fee or reward, all ſuch acts, matters, and things, as are herein-before directed and required, or ſhall be neceſſary to be done and performed by them or any, or either of them, in order to render this act, and the ſeveral payments hereby directed, effectual.

Commiffioners of the treaſury, chancellor of the exchequer, &c. are to do all things neceſſary for the execution of this act, without fees.

V. And be it enacted by the authority aforeſaid, That the acquittance or acquittances, receipt or receipts, of the ſaid ſir *George Auguſtus Eliott*, his executors, adminiſtrators, and aſſigns, or of ſuch other perſon or perſons as ſhall be intitled or authorized to receive the ſaid annuity, or yearly rent or ſum, or any part thereof, ſhall be a good and ſufficient diſcharge for the payment thereof, without any further or other warrant to be ſued for or obtained in that behalf; and that the ſaid annuity, or yearly rent or ſum, and every part thereof, ſhall be free and clear from all taxes, impoſitions, and other publick charges, whatſoever: and in caſe any of the officers of the receipt of his Maſteſty's exchequer ſhall reſuſe or neglect to pay the ſaid annuity, or yearly rent or ſum, or any part thereof, according to the true intent and meaning of this act, or to do any act neceſſary to enable the ſaid ſir *George Auguſtus Eliott*, his

The receipt of ſir *George Auguſtus Eliott*, his executors, &c. ſhall be a ſufficient diſcharge.

Annuity to be tax-free.

How the annuity may be recovered.

executors,

executors, adminiſtrators, or aſſigns, to receive the ſame; then the ſaid *George Auguſtus Eliott*, his executors, adminiſtrators or aſſigns, may from time to time ſue, proſecute, and implead ſuch officers, or any of them, their executors and adminiſtrators, by bill, plaint, or action of debt, and ſhall or may recover judgements, and ſue out executions thereupon, againſt ſuch officers reſpectively, their heirs, executors, or adminiſtrators, for ſo much of ſuch ſum or ſums of money then due and owing upon the ſaid annuity, yearly rent or ſum, or any part thereof, as ſhall have been in the hands of the officer or officers of the receipt of the exchequer at the time or times when demands ſhall have been legally made of the payment of the ſaid annuity, yearly rent or ſum, or any part thereof, as aforeſaid, or for the reſuſal or neglect to do any act neceſſary to be done by ſuch officer or officers, to enable the ſaid ſir *George Auguſtus Eliott*, his executors, adminiſtrators, and aſſigns, to receive the ſame.

C A P. LXXXVI.

An act for ſettling and ſecuring a certain annuity on George lord Rodney, and the two next perſons to whom the barony of Rodney ſhall deſcend, in conſideration of the eminent ſervices performed by the ſaid George lord Rodney to his Maſeſty and the publick.

Moſt gracious Sovereign,

Preamble.

WHEREAS your Maſeſty, by your moſt gracious meſſage to your moſt faithful commons, has been pleaſed to declare, That your Maſeſty having taken into your royal conſideration the many eminent and ſignal ſervices performed by *George Brydges Rodney lord Rodney*, vice admiral of England, and one of the admirals of the white, his conduct in the Weſt Indies in three ſeveral engagements, in the months of April and May, one thouſand ſeven hundred and eighty, with a ſuperior French fleet, under the command of the count de Guichen; and his great and glorious victories over the Spaniſh fleet, on the ſixteenth day of January, one thouſand ſeven hundred and eighty, on his voyage to the relief of the gariſon of Gibraltar; and over the French fleet in the Weſt Indies, on the twelfth day of April, one thouſand ſeven hundred and eighty-two; not only highly honourable to himſelf; but greatly beneficial to your Maſeſty's kingdoms; your Maſeſty was deſirous to beſtow ſome conſiderable and laſting mark of your royal favour, as a teſtimony of your Maſeſty's approbation for the ſaid ſervices; and for this purpoſe to give and grant unto the ſaid *George Brydges Rodney lord Rodney*, and to the two next ſucceeding heirs male of the body of the ſaid *George Brydges Rodney lord Rodney*, to whom the title of lord Rodney ſhall deſcend, for and during their lives, a net annuity of two thouſand pounds per annum; but your Maſeſty, not having it in your power to grant an annuity to that amount, or to extend the effect of the ſaid grant beyond the term of your Maſeſty's own life, recommended it to your faithful commons, to conſider of a proper method of enabling your

your Majesty to grant the ſame, and of extending, ſecuring, and ſetting, ſuch annuity to the ſaid George Brydges Rodney lord Rodney, and to the two next perſons on whom the title of lord Rodney ſhall deſcend, in ſuch manner as ſhould be thought moſt effectual for the benefit of the ſaid George Brydges Rodney lord Rodney, and his family: we, your Majesty's moſt dutiful and loyal ſubjects, the commons of Great Britain, in parliament aſſembled, duly conſidering your Majesty's moſt gracious intention, do moſt humbly beſeech your Majesty that it may be enacted; and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That one annuity, or yearly rent or ſum of two thouſand pounds of lawful money of Great Britain, ſhall be iſſuing and payable out of, and charged and chargeable upon, the duties and revenues which compoſe the fund, commonly called *The Aggregate Fund*, and every or any of them, (after paying, or reſerving ſufficient to pay, all ſuch ſum and ſums of money as have been directed by any former act or acts of parliament to be paid out of the ſame, but with preference to all other payments which ſhall or may hereafter be charged upon, or payable out of, the ſaid aggregate fund;) and the ſame ſhall from time to time be paid quarterly, free and clear of all taxes and deductions whatſoever, in manner and form following; (that is to ſay,) to *George Brydges Rodney* now lord Rodney, for and during the natural life of the ſaid *George Brydges Rodney* lord Rodney, and from and after his deceaſe, unto the two next ſucceeding heirs male of the body of the ſaid *George Brydges Rodney* lord Rodney, on whom the ſaid title, honour, and dignity of lord Rodney ſhall deſcend, for and during their natural lives; which ſaid annuity, or yearly rent or ſum, ſhall commence and take effect from the twelfth day of April, which was in the year of our lord one thouſand ſeven hundred and eighty-two; the firſt payment to be computed from the ſaid twelfth day of April, which was in the year of our lord one thouſand ſeven hundred and eighty-two, until the fifth day of July, in the year of our lord one thouſand ſeven hundred and eighty-three; and from thenceforth ſhall be paid and payable at the four uſual days of payment in the year; that is to ſay, the tenth day of October, the fifth day of January, the fifth day of April, and the fifth day of July, in each and every year, by even and equal portions.

II. And it is hereby further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the commiſſioners of his Majesty's treasury now being, and the high treaſurer and under treaſurer of the exchequer, and commiſſioners of the treasury for the time being, and they are hereby authorized and required, by warrant under their hands, to direct the auditor of the receipt of the exchequer, now and for the time being, to make forth and paſs debentures, from time to time, for paying the ſaid annuity or yearly rent or ſum of two thouſand

A life annuity of 2000l. per annum ſet- tled on lord Rodney, and the two next ſucceeding heirs to his title,

to commence from April 12, 1782, and to be paid quarterly.

The annuity to be paid at the exchequer, without fees.

ſand pounds, in manner as aforeſaid, and as the ſame ſhall, from time to time, become due and payable, without any fees or charges to be demanded or taken for paying the ſame, or any part thereof; which ſaid warrant, and the debentures to be made forth, and paſſed thereupon, ſhall be a ſufficient authority to the ſeveral and reſpective officers of the receipt of the exchequer, now and for the time being, for the payment of the ſaid annuity, or yearly rent or ſum, to the ſaid *George Brydges Rodney* lord *Rodney*, and the two next ſucceeding heirs male of the body of the ſaid *George Brydges Rodney* lord *Rodney*, at the reſpective quarterly feaſt days in this act before appointed for payment thereof, without any further or other warrant to be ſued for, had, or obtained, in that behalf.

The warrant for payment of the annuity not to be determinable upon the demise of his Majesty, &c.

III. And it is hereby further enacted by the authority aforeſaid, That after ſigning of ſuch warrant, the ſame ſhall be good, valid, and effectual in law, according to the purport and true meaning thereof, and of this act, and ſhall not be determinable or revocable by or upon the demise of his Majesty, (whom God long preſerve!) or of any of his heirs or ſucceſſors, or by or upon the death or removal of any of the ſaid commiſſioners of the treasury, or the lord high treaſurer, or by or upon the determination of the power, office or offices of them, or any of them.

Commisſioners of the treasury, chancellor of the exchequer, &c. are to do all things neceſſary for the execution of this act, without fees.

IV. And be it further enacted by the authority aforeſaid, That the commiſſioners of the treasury now being, and the high treaſurer of the treasury for the time being, chancellor and under treaſurer, chamberlains and barons of the exchequer, and all other the officers and miniſters of the court of exchequer, and of the receipt thereof, now and for the time being, ſhall, and they are hereby authorized and ſtrictly enjoined and required to do, without fee or reward; all ſuch acts, matters, and things, as are herein before directed and required, or ſhall be neceſſary to be done and performed by them, or any or either of them, in order to render this act, and the ſeveral payments hereby directed, effectual.

The receipt of lord Rodney, and his ſucceſſors, ſhall be a ſufficient diſcharge.

V. And be it enacted by the authority aforeſaid, That the acquittance or acquittances, receipt or receipts, of the ſaid *George Brydges Rodney* lord *Rodney*, and the two next ſucceeding heirs male of the body of the ſaid *George Brydges Rodney* lord *Rodney*, on whom the ſaid title ſhall deſcend, ſhall be a good and ſufficient diſcharge for the payment of the ſaid annuity or yearly ſum, without any further or other warrant to be ſued for or obtained in that behalf; and that the ſaid annuity, or yearly rent or ſum, and every part thereof, ſhall be free and clear from all taxes, impoſitions, and other charges whatſoever: and in caſe any of the officers of the receipt of his Majesty's exchequer ſhall reſuſe or neglect to pay the ſaid annuity, or yearly rent or ſum, or any part thereof, according to the true intent and meaning of this act, or to do any act neceſſary to enable the ſaid *George Brydges Rodney* lord *Rodney*, and the two next ſucceeding heirs male of the body of the ſaid *George Brydges Rodney* lord *Rodney*,

Annuity to be tax-free.

How the annuity may be recovered.

Rodney, on whom the said title, honour, and dignity of lord *Rodney* shall descend, to receive the same, then the said *George Brydges Rodney* lord *Rodney*, and the two next succeeding heirs male of the body of the said *George Brydges Rodney* lord *Rodney*, on whom the said title shall descend, may, from time to time, sue, prosecute, and implead such officers, or any of them, their heirs, executors, or administrators, by bill, plaint, or action of debt, and shall and may recover judgements, and sue out executions thereupon, against such officers respectively, their heirs, executors, or administrators, for so much of such sum or sums of money, then due and owing upon the said annuity, yearly rent or sum, or any part thereof, as shall have been in the hands of the officer or officers of the receipt of the exchequer, at the time or times when demands shall have been legally made of the payment of the said annuity, yearly rent or sum, or any part thereof as aforesaid, or for the refusal or neglect to do any act necessary to be done by such officer or officers respectively.

VI. And be it further enacted by the authority aforesaid, That the said annuity, yearly rent or sum of two thousand pounds, shall be, and the same is by this act vested in the said *George Brydges Rodney* lord *Rodney*, and the two next succeeding heirs male of the body of the said *George Brydges Rodney* lord *Rodney*, to whom the said title, honour, and dignity of lord *Rodney* shall descend; and the same, or any part thereof, shall not at any time or times hereafter be aliened, conveyed, disposed, charged, or incumbered, by the said *George Brydges Rodney* lord *Rodney*, or by either of the two next succeeding heirs male of the body of the said *George Brydges Rodney* lord *Rodney*; on whom the said title shall descend, for any greater or larger estate, or time, than during the natural life of the person so aliening, conveying, disposing, charging, or incumbering the same, or so as to prevent the same from descending to the next or succeeding heir male of the body of the said *George Brydges Rodney* lord *Rodney*, to whom the said title of lord *Rodney* shall descend, according to the limitation aforesaid.

Annuity not to be aliened or incumbered for a longer term than during the life of the possessor.

C A P. LXXXVII.

An act for vesting certain messuages, lands, tenements, and hereditaments, in trustees, for the further securing his Majesty's docks, ships, and stores, at Portsmouth; and for the more safe and convenient carrying on of his Majesty's gunpowder works and mills, near the town of Faversham.

For further and better securing his Majesty's docks, ships of war, and stores, necessary to erect and raise additional fortifications at or near Gosport; and reciting that his Majesty's gunpowder mills, near Faversham, in Kent, had been blown up, and it was thought expedient to erect other works and buildings more remote from the said town; and in order thereto, it was necessary to purchase the lands, &c. after mentioned, in Hampshire and Kent. Enacted that certain pieces of land, and tenements thereunto belonging, in the parish of Alverstoke, in Hampshire; and certain other pieces of land, and tenements thereunto belonging, in the parishes of Luddesham and Preston, in Kent; and a certain piece of land, and

and tenements thereunto belonging, in the pariſh of Faverſham, in Kent; and certain other pieces of land, and tenements thereunto belonging, in the pariſh of Davington, in Kent; and alſo a piece of paſture land, ſituate in the pariſh of Faverſham; veſted in the right honourable Charles Wolfran Cornwall, Jervoife Clerk Jervoife, Robert Thistlethwaite, the honourable Charles Marſham, and Filmer Honeywood, eſquires, and their heirs, &c. in truſt for the reſpective owners, till the purchaſe money, with intereſt at 5 per cent. from the time of the board of ordnance, &c. taking poſſeſſion, be paid. Reaſonable compenſation to be made to the proprietors out of the next parliamentary aids. His Majeſty impowered, by letters patent under the great ſeal, to appoint commiſſioners to determine claims to the ſaid lands, &c. and any five or more of them may proceed in a ſummary way, on oath of witneſſes, inſpection of deeds, &c. and, if the parties require it, by the inqueſt of twelve men, to enquire into the rights, &c. of any perſons, relating to the premiſes, and to ſend for perſons, deeds, &c. Judgements and decrees of commiſſioners to be entered in books, &c. Copies thereof to be laid before both houſes of parliament. Commiſſioners to iſſue their warrants to ſheriffs to ſummon juries; who are to enquire into the value of lands, &c. Penalty on ſheriffs or their officers making default 20 l. and not leſs than 10 l. and alſo on jurors not more than 10 l. In caſe a ſufficient jury ſhall not appear upon return of the warrant, commiſſioners may adjourn the inqueſt, and iſſue their warrant for ſummoning other jurors in room of defaulters. Commiſſioners, after the inqueſt ſhall be taken, may adjourn, &c. Commiſſioners to give notice previous of their reſpective meetings 14 days before. If owners make default in appearing, &c. to proceed upon the beſt information can be obtained. On payment of the ſums aſſeſſed by jury, &c. truſtees to be deemed ſeiſed of the premiſes for the uſe of his Majeſty. Pumps, wells, &c. to be free. Officers of ordnance, within 30 days after meeting of next ſeſſion, in a written declaration, to ſpecify the particular veſted lands, &c. which will be wanted for the purpoſes aforeſaid; and all the lands not ſo ſpecified ſhall be reſtored in the former proprietors. Lands to be purchaſed in purſuance of this act, ſhall be liable to the uſual tiſhes and taxes: to be paid by the ſtorekeeper of the ordnance. Commiſſioners not liable to penalties in ſtat. 25 Car. 2. c. 2. 1 Gul. & Mar. c. 8. 13 and 14 Gul. 3. c. 6. nor 1 Geo. 1. c. 13. nor to be diſqualified from being members of parliament.

C A P. LXXXVIII.

An act to extend the provisions of an act, (intituled, An act to amend and make more effectual the laws relating to rogues, vagabonds, and other idle and disorderly perſons, and to houſes of correction) to certain caſes not therein mentioned.

Preamble.

WHEREAS divers ill-diſpoſed perſons are frequently apprehended, having upon them implements for houſebreaking, or offensive weapons, or are found in or upon houſes, warehouſes, coach-houſes, ſtables, or outhouſes, areas of houſes, incloſed yards or gardens belonging to houſes, with intent to commit felonies; and although their evil purpoſes are thereby manifeſted, the power of his Majeſty's juſtices of the peace to demand of them ſureties for their good behaviour, hath not been of ſufficient effect to prevent them from carrying their evil purpoſes into execution; be it therefore enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons ſhall, after the firſt day of Auguſt, one thouſand ſeven hundred and eighty-three,

After Aug. 1,
1783, every
perſon appre-

three, be apprehended having upon him, her, or them, any picklock key, crow, jack, bit, or other implement, with an intent feloniously to break and enter into any dwelling-house, warehouse, coach-house, stable, or outhouse; or shall have upon him, her, or them, any pistol, hanger, cutlafs, bludgeon, or other offensive weapon, with intent feloniously to assault any person or persons; or shall be found in or upon any dwelling-house, warehouse, coach-house, stable, or outhouse, or in any inclosed yard or garden, or area belonging to any house, with an intent to steal any goods or chattels; every such person or persons shall be deemed a rogue and vagabond, within the intent and meaning of the statute made in the seventeenth year of his late majesty King George the Second, intituled, *An act to amend and make more effectual the laws relating to rogues, vagabonds, and other idle and disorderly persons, and to houses of correction.*

hended having any implement for housebreaking, or any offensive weapon, with felonious intent; shall be deemed a rogue, &c. within the meaning of 17 Geo. 2. c. 5.

C A P. LXXXIX.

An act for better paving, cleansing, and lighting, the parish of Saint Clement Danes, in the county of Middlesex, and certain places adjoining thereto; and for removing and preventing nuisances and annoyances therein.

2 Geo. 3. c. 21. 3 Geo. 3. c. 23. 4 Geo. 3. c. 39. 5 Geo. 3. c. 50. 6 Geo. 3. c. 54. 11 Geo. 3. c. 22. Former acts repealed. Power of paving, cleansing, and lighting the parish, given to the trustees, and a committee of the inhabitants. Optional streets, viz. Arundel, Norfolk, Surrey, and Howard streets, Butcher row, part of Clement's lane, back side of St. Clement, Blackmore, Clare, Holiwell, Vere, and Peter or Denzell streets, and so much of Cecil street and Wyche street as lies in St. Clement's, and so much of Wyche street as lies in the parish of St. Mary le Strand. Property of the pavements, materials, &c. vested in the trustees, until the appointment of the committee. Former securities to be valid. Trustees, Charles Howard, earl of Surrey, Thomas Pelham Clinton, earl of Lincoln, Charles Barrow, Francis Barlow, William Baldwin, John Browning, Robert Butler, Gibbs Crawford, William Devon, Samuel Edwards, Charles Grave Hudson, William Kitchner, Samuel Phipps, William Sandby, and George Vaughan, esquires, and the rector of St. Clement for the time being. Power to elect new trustees. Committee of twenty-one inhabitants to be appointed. Qualification of trustees and committee men to be householders paying to the rates, and the trustees to have 300l. per ann. real, or 10,000l. personal estate. Committee men to have a real or personal estate of 2,000l. value. Trustees acting, not being qualified, to forfeit 200l. committee men 100l. Committee to pay their own expences. No act valid, unless done at a meeting. All acts of the committee may be done by the majority. Committee may appoint officers; and shall take security for them. No officer to take any fee other than allowed by committee; or be interested in any contract. Officers, collectors, &c. to account. Penalty on officers refusing to account, &c. 20l. If sufficient distress cannot be had, the offender to be committed, until he shall pay or compound. Commitment of offenders not to discharge their sureties. Committee may employ workmen, carriages, and horses, where the expence of the work does not exceed 40s. and contract for paving, cleansing, and lighting. No contract to be valid unless confirmed by the trustees. Proviso, that if any trustee be a committee man not to act as to contracts. No contract to be made but between Feb. 1. and June 1. The level of the streets not to be altered, or inferior materials used. Contracts already made to be valid. Committee to cause the works to be examined; and if not done agreeable to the contracts, may

bring actions againſt the contractors. Committee may compound with contractors for the penalties incurred on nonperformance of contracts. Committee annually to affix in the veſtry room, or otherwiſe publiſh, extracts of contracts and penalties. Houſholder making complaint of defect in lighting, cleaning, or repairing the pavement, ſurveyor to view it, and if defective to give notice to contractor to amend it. Power to call a ſpecial meeting of the committee upon any ſuch complaint. On contracts not being performed, committee may cauſe the work to be done by other perſons, and deduct the expence from the money due to the contractor. New ſtreets to be firſt paved at the expence of the owners, who are to compound with the committee for paving themſelves. Property of pavements, lamp-irons, materials, &c. veſted in committee. Committee may hire ground for depoſiting materials. Penalty on damaging materials or works 40s. and not leſs than 10s. Names of ſtreets to be wrote at or near the entrance, and houſes and lamp-irons to be numbered. Penalty on wilfully breaking lamps 40s. for every lamp, and alſo make good the damage. Perſons careleſſly or accidentally breaking lamps, to make good the damage. Committee to make rates, not exceeding 1s. 6d. in the pound, and alſo additional rates not 1s. 6d. in the pound for the optional ſtreets, and 6d. per pound for the other parts of the pariſh. Houſes hereafter to be built, to be aſſeſſed as others. Empty houſes to pay half rate. Church and church-yard, chapels, and other publick buildings, to be rated according to the number of ſquare yards of paving belonging thereto, at 6d. per yard per annum. If committee neglect to make the additional rates, truſtees may do it. If the committee omit to make the other rates, the inhabitants to do it. Commencement of rates March 25, 1783. Rates of houſes let in ſeparate apartments, and ready-furnished, to be paid by the tenant, who may deduct the ſame out of his rent. Rates of houſes let to ambaffadors to be paid by the landlords. Agreements between landlords and tenants not to be affected. Poor rates may be inſpected by an order of three committee men; and copies, &c. taken. Power to recover the rates by diſtreſs. Rates may be recovered by action at law. Perſons quitting houſes or premises before payment of the rates, and perſons entering in ſuch houſes or premises, to be ſubject to the payment thereof for the times of their occupying the ſame. Perſons aggrieved by the rates may appeal to the committee, and the quarter ſeſſions. Collector to pay the money into the bank, or to a banker. Banker to pay money drawn upon him by the truſtees and committee. Commiſſioners to account with the truſtees relative to optional ſtreets. Commiſſioners to account with the committee relative to the other parts of the pariſh. Former committee to account with the committee appointed by virtue of this act. Arrears of former rates may be levied. Truſtees to apply additional rate to pay intereſt and debt. Committee to apply rates for repairing, cleaning, and lighting, and removing nuiſances, &c. Surplus to be applied towards diſcharging debt. Separate accounts to be kept of rates to be raiſed within the optional ſtreets, for paying the principal and intereſt due on ſuch ſtreets. Creditors to be paid by ballot. Notice to be given to the perſons whoſe bonds are to be paid off. New ſecurities for 100l. each may be given, inſtead of preſent ſecurities for a larger ſum. Power to borrow money to diſcharge certain debts due upon ſome of the optional ſtreets, and not ſecured upon the rates. Form of ſecurity.

BY virtue of an act of parliament, made in the twenty-third year of the reign of his majeſty King George the Third, intituled, [here ſet forth the title of the act,] We, the truſtees of the ſaid pariſh, do hereby aſſign to A. B. his executors, adminiſtrators, and aſſigns, in conſideration of the ſum of _____ paid by him to
 from this _____ day of _____ in the year
 of our Lord _____ until the ſaid ſum of _____
 with intereſt, at the rate of _____ per annum, ſhall be paid,
 the rates or aſſeſſments by virtue of the ſaid act made ſubject and liable
 to and chargeable with the payment of the principal money due and owing

ing on the credit of [ascertain the part of the parish in respect whereof such money is to be secured,] for the purpose of discharging monies due and owing on the credit of such rates or assessments.

I DO transfer this assignment, with all my right and title to the principal and interest thereby secured, unto C. D. his executors, administrators, and assigns. In witness whereof I have hereunto set my hand, this day of

Form of transfer.

Witness, B. F.

A. B.

Transfers to be entered, and shall be valid. Power to borrow money at lower interest, to discharge securities at a higher. Power to raise a rate not exceeding 1d. in the pound, towards new paving any streets, after the parochial debt shall be discharged. Signs to be placed flat on fronts of houses. Water to be conveyed from houses in pipes. Palisades broke or defective, to be repaired at the expence of the owner. Penalty on placing annoyances or obstructions in the streets 10s. and not less than 5s. &c. No hoards to be erected, without licence from the surveyor or inspector to the committee. Running wheels, &c. or driving carriages, horses, &c. on foot pavement. Dirt not to be swept into common sewer, or within a certain distance of any grate or channel. No person, other than the scavenger, to carry away dust, &c. No person shall sit, skreen, or slack lime. Penalty 20s. and not less than 5s. Owners of cinders, dust, &c. may carry away the same for their own use. No night soil to be taken away before twelve or after four, in summer, or five in winter; or to be put or cast in any part of the parish, or within a certain distance thereof. Scavengers to clean streets once every week, &c. Inhabitants exempted from office of scavenger, and surveyor of highways, from hanging out lights, and return of annoyance jury, on account of defective pavements, &c. Paviours to water companies to transmit their names, places of abode, and walk, to the committee. Directions for repairing defective water pipes. Penalty on his neglect. If no regular paviour, notice to be transmitted to clerk to water companies. Committee to be reimbursed expences of relaying pavement broken for repairing water pipes. List of streets to be transmitted to water companies. Water company not to be subject to pay the expence of paving or repairing the pavement, unless the account be delivered within six calendar months. Committee to state in their account to the water company, the charge of such relaying or repairing the quantity of pavement, &c. Treasurer or clerk to the water company may inspect the accounts and proceedings of the committee relative to paving. Surveyor or inspector to verify his account with any water company upon oath, if required. The provisions of the act extended, to such part of Cecil street as lies in Saint Martin's parish, until the debt due on that street be paid off. Duke of Newcastle owner of Clare Market, and entitled to certain parts of the pavement. The shops inside the market houses not to be rated. The shops outside of the market houses to be rated. Nothing in the act to affect the rights of the duke of Newcastle. Saving the right of W. Kitchiner, esquire, to Carting lane and Somerset street. Trustees impowered to appoint a clerk at a salary. The committee to pay a proportion of the expences of the general commission till March 25, 1784. Proceedings of trustees and committee to be recorded. Not to extend to such part of Drury lane as is in St. Clement Danes. Penalties and forfeitures to be recovered by distress and sale of goods, and applied by the committee. Inhabitants may give evidence. Justices to proceed for conviction of offenders. Form of conviction.

County of Middlesex,
or
City and Liberty of
Westminster, to wit.

BE it remembered, That on
day of in the year
of the reign of his Majesty
A. B. is convicted before
of his Majesty's justices of the peace for the said county
or city and liberty, [as the case shall be,] by virtue of
D d 2 an

an act of parliament, made in the twenty-third year of the reign of his majesty King George the Third, intituled, [here ſet forth the title of the act, and ſpecify the offence, and the time and place when and where the ſame was committed.]

Given under our hands and ſeals, [or, my hand and ſeal,] the day and year aforeſaid.

Actions may be brought in the name of one of the truſtees or committee, or their clerk; and upon obtaining verdicts, they have power to recover coſts. No action to abate on death or removal of clerk. No eſſoin, &c. to be allowed in actions. Perſons aggrieved may appeal to the quarter ſeſſions. Rates and proceedings not to be quaſhed for want of form; nor to be removed by *certiorari*. Plaintiff ſhall not recover after tender of ſufficient amends. Diſtreſs not deemed unlawful for want of form. Expences of this act to be paid out of the firſt money which comes to hand. Writings not to be ſubject to ſtamp-duties. Limitation of actions within ſix calendar months. Defendant may plead the general iſſue, and give the ſpecial matter in evidence; and if verdict, &c. for him, to have treble coſts. Publick act.

C A P. XC.

An act for better paving, cleaning, and lighting, the pariſh of Saint Martin in the Fields, within the liberty of Weſtmiſter, and certain places adjoining thereto; and for removing and preventing nuiſances and annoyances therein.

2 Geo. 3. c. 21. 3 Geo. 3. c. 21. 4 Geo. 3. c. 39. 5 Geo. 3. c. 50. 6 Geo. 3. c. 54. 11 Geo. 3. c. 22. Former acts repealed. Power of paving, cleaning, and lighting the pariſh, given to the veſtry, and a committee of the inhabitants. Optional ſtreets, viz. Northumberland, Hungerford, and all ſtreets, &c. in York buildings and Adelphi, alſo Salisbury, Great Suffolk, and Panton ſtreets, ſuch part of Little Ruſſel ſtreet and Great Drury lane as lie in the ſaid pariſh. Former ſecurities to be valid. Veſtry to appoint a committee. Qualification of committee men 2,000l. real or perſonal eſtate. Meetings of committee every fortnight. Committee to pay their own expences. No act valid, unleſs done at a meeting. All acts of the committee may be done by the majority. Committee may appoint officers; and ſhall take ſecurity for them. No officer to take any fee other than allowed by committee; or be intereſted in any contract. Officers, collectors, &c. to account. Officers reſuſing to account, ſhall forfeit 10l. and if they neglect to pay the balance, it may be levied by diſtreſs. If ſufficient diſtreſs cannot be had, the offender to be committed until he ſhall pay, or compound. Commitment of offenders not to diſcharge their ſureties. Committee may employ workmen, carriages, and horſes, and contract for paving, cleaning, and lighting. No contract to be made but between Feb. 1. and June 1. The level of the ſtreets not to be altered without conſent of veſtry or paving committee of adjoining pariſhes, or inferior materials uſed. Contracts already made to be valid. Committee to cauſe the works to be examined; and if not done agreeable to the contracts, may bring actions againſt the contractors. Committee may compound with contractors for the penalties incurred on nonperformance of contracts. Committee annually to print and diſtribute extracts of contracts and penalties. Houſholder making complaint of defective pavement, ſurveyor to view it, and, if defective, to give notice to contractor, to amend it. Power to call a ſpecial meeting of the committee upon any ſuch complaint. On contracts not being performed, committee may cauſe the work to be done by other perſons, and deduct the expence from the money due to the contractor. New ſtreets to be firſt paved at the expence of the owners, who are to compound with the committee for paving thereof. Property of pavements, lamp-irons, materials, &c. veſted in committee.

committee. Committee may hire ground for depositing materials. Penalty on destroying or damaging materials. Names of streets to be wrote at or near the entrance, and houses and lamp-irons to be numbered. Penalty on wilfully breaking lamps 20s. for every lamp, and damages, &c. Persons carelessly or accidentally breaking lamps, to make good the damage. Committee to make rates, 1s. in the pound, according to two thirds of the annual value, to repair; and to pay debt incurred and interest, and an additional rate of 1s. 6d. per pound, of two thirds value in optional streets, and 1s. 9d. per pound in Panton street, and 6d. in other streets. Houses hereafter to be built, to be assessed as others. Empty houses to pay half rate. St. Martin's church and church-yard, and other publick buildings, to be rated according to the number of square yards of paving belonging thereto 6d. per yard per annum. If committee neglect to make rates, vestry may do it. Commencement of rates March 25, 1783. Rates of houses let in separate apartments, and ready-furnished, to be paid by the tenant, who may deduct the same out of his rent. Rates of houses let to ambassadors to be paid by the landlords. Poor rates may be inspected by an order of three committee men; and copies, &c. taken. Power to recover the rates by distress and sale. Rates may be recovered by action at law. Persons quitting houses or premises before payment of the rates, and persons entering in such houses or premises, to be subject to the payment thereof for the times of their occupying the same. Agreements between landlords and tenants not to be affected. Persons aggrieved by the rates may appeal to the committee, and the quarter sessions. Collector to pay the money into the bank, or to a banker. Banker to pay money drawn upon him by the vestry and committee. No collector to keep in his hands more than 50l. longer than three days. Commissioners to account with the vestry relative to optional streets. Commissioners to account with the committee relative to the other parts of the parish, and transfer to them the money in the bank. Former committee to account with the committee appointed by virtue of this act. Arrears may be levied. Vestry to apply additional rate to pay interest and debt. Committee to apply rates for repairing, cleansing, and lighting, and removing nuisances, &c. Surplus to be applied towards discharging debt. Separate accounts to be kept of rates to be raised within the optional streets, for paying the principal and interest due on such streets. After payment of the debt, the additional rates to cease. Creditors to be paid by ballot. Notice to be given to the persons whose bonds are to be paid off. New securities for 100l. each may be given, instead of present securities for a larger sum. Power to borrow money to discharge certain debts due upon some of the optional streets, and not secured upon the rates. Form of security.

BY virtue of an act of parliament, made in the twenty-third year of the reign of his majesty King George the Third, intituled, [here set forth the title of the act,] We, the vestry men of the said parish of Saint Martin in the Fields, do hereby assign to A. B. his executors, administrators, and assigns, in consideration of the sum of _____ paid by him to _____ from this day of _____ in the year of our Lord _____ until the said sum of _____ with interest, at the rate of _____ per annum, shall be paid, the rates or assessments to be rated or assessed by virtue of the said act within [ascertain the street or streets, or other place or places, in respect whereof such money is to be secured,] for the purpose of discharging monies due and owing on the credit of such rates or assessments.

Securities may be transferred. Form of transfer.

I DO transfer this assignment, with all my right and title to the principal and interest thereby secured, unto C. D. his executors, administrators, and assigns. In witness whereof I have hereunto set my hand, this _____ day of _____

Witness, E. F.

A. B.
Transfers

Transfers to be entered. Power to borrow money at lower interest, to discharge securities at a higher. Power to raise a rate not exceeding a d. in the pound, towards new paving any street, after the parochial debt shall be discharged. The committee to pay a proportion of the expences of the general commission till March 25, 1784. The Adelphi to be deemed optional. Signs to be placed flat on fronts of houses. Water to be conveyed from houses in pipes. Palisadoes broke or defective to be repaired at the expence of the owner. Penalty on placing annoyances or obstructions in the streets 10s. and not less than 5s. No houses to be erected, without licence from the surveyor or inspector to the committee. Penalty on running wheels, &c. or driving carriages, horses, &c. on foot pavement 20s. and not less than 5s. Dirt not to be swept into common sewer, or within a certain distance of any grate or channel. No person, other than the scavenger, to carry away dust, &c. Owners of cinders, dust, &c. may carry away the same for their own use. No night soil to be taken away before twelve, or after four, in summer, or five in winter; or to be put or cast in any part of the parish, or within half a mile thereof. Penalty 20s. and not less than 10s. Scavengers duty to attend once every week in each street. Inhabitants exempted from office of scavenger and surveyor of highways, from hanging out lights, and return of annoyance jury, on account of defective pavements, &c. Paviours to water companies to transmit their names, places of abode, and walk, to the committee. Directions for repairing defective water pipes. Penalty on his neglect. If no regular paviour, notice to be transmitted to clerk to water companies. Committee to be reimbursed expences of relaying pavement broken for repairing water pipes. List of streets to be transmitted to water companies. Water company not to be subject to pay the expence of paving or repairing the pavement, unless the account be delivered within six calendar months. Committee to state in their account to the water company, the charge of such relaying or repairing the quantity of pavement, &c. Treasurer or clerk to the water company may inspect the accounts and proceedings of the committee relative to paving. Surveyor or inspector to verify his account with any water company upon oath, if required. Vestry may appoint a surveyor. The provisions of this act extended to such parts of Little Russell street and Great Drury lane, as are not situate in St. Martin's parish. Proceedings of vestry and committee to be recorded, and to be settled annually. Not to extend to New street, or such part of Chandos, James street, Cock lane, also Little St. Martin's lane, as lie in St. Martin's parish, till debt paid; or to any street before any royal palace, ground, or building, belonging to his Majesty, &c. Optional boundary streets, after payment of the debts due thereon, to be under the management of the respective parishes in which they are situate. Penalties and forfeitures how to be recovered by distress and sale of goods, and applied by the committee. Inhabitants may give evidence. Justices to proceed for conviction of offenders. Form of conviction.

County of Middlesex,
Or
City and Liberty of
Westminster, to wit,

} **B**E it remembered, That on
day of in the year
of the reign of his Majesty
A. B. is convicted before
of his Majesty's justices of the peace for the said county,
or city and liberty, [as the case shall be,] by virtue of
an act of parliament, made in the twenty-third year of
the reign of his majesty King George the Third, intitled,
[here set forth the title of the act, and specify
the offence, and the time and place when and where
the same was committed.]

Given under our hands and seals, [or, my hand and seal,]
the day and year aforesaid.

Committee obtaining verdicts, shall have power to recover costs. No action to abate on death or removal of clerk. No esoin, &c. to be allowed

in actions: Persons aggrieved may appeal to the quarter sessions. Rates and proceedings not to be quashed for want of form; or to be removed by *certiorari*. Plaintiff shall not recover after tender of sufficient amends. Distress not deemed unlawful for want of form. Expenses of this act to be paid out of the first money received. Writings not to be subject to stamp duties. Limitation of actions six calendar months. Defendants may plead the general issue, &c. and if he obtain a verdict, &c. may recover treble costs. Publick act.

C A P. XCI.

An act for paving and regulating Church lane, in and near the parishes of Saint Mary Whitechapel, and Saint George in the county of Middlesex, and several other streets, avenues, and places, within the same parish of Saint Mary Whitechapel, and preventing annoyances therein; and for enabling the inhabitants of the said parish of Saint Mary Whitechapel, to raise money to defray the expences incurred in repairing the parish church.

Church lane a great thorough fare, and in bad repair. Names of forty-two commissioners, with the rector, churchwardens, and overseers of the poor of Whitechapel, for the time being. On death, &c. of commissioners, others to be chosen. Notice to be given of such election. Qualification of commissioners, real estate 40l. per ann. personal 1,000l. Penalty on acting if not qualified 50l. Five commissioners may act. Commissioners to defray their own expences. They may appoint officers, and allow them salaries, and take security from them. Rates to be paid to the collector. Officers to account. On their refusal, to be committed. On death of officers, or becoming insolvent, executors to account; and pay the balance, in preference of any other creditor; and may plead or give in evidence such payment; and in case of nonpayment, commissioners may sue for the same. Commissioners empowered to pave Church lane, and to raise or lower the ground, &c. For paving such part of Church lane as lies within the parish of Saint George. No person to repair pavement but commissioners' paviour. Property of present and future pavement, and materials, vested in the commissioners; penalty on injuring the same 40s. Pavement may be taken up, for repairing water-pipes, &c. After such repair, notice to be given to the commissioners' paviour; who is to repair and make good the same. Charges of repairing pavement taken up to be paid by the persons occasioning the damage. In case of default, how to be recovered. Water company's paviour or workmen to give notice to the commissioners' clerk of their names and places of abode. Time allowed water companies to repair their pipes after notice. Commissioners of sewers how to be summoned, when any repairs of sewers, &c. wanted. Goods and also carriages, obstructing the passage, may be seized; or the persons causing, or the master, to be summoned, to be punished in a summary way before the justice. Penalty on driving wheelbarrows, &c. over the foot pavement, first offence 3s. second 10s. third 20s. Hoards may be erected with leave. Foot pavements to be swept every day (Sundays excepted.) Houses to be numbered. Signs, &c. to be regulated. Projections to be removed. Rates, not to exceed 1s. 6d. in the pound. Landlords to allow one third part of the rate. Where houses, &c. unoccupied, one third only of the rate to be collected. Owners to be rated for houses let in different tenements. For recovering the rates by distress, if none; or goods removed, the party may be committed for three calendar months, by justices warrant. Places of worship, void spaces of ground, &c. may be rated at 6d. per ann. each square yard of pavement. Rates may be recovered by action. Vacant ground to be fenced in, at the expence of the owner. Occupiers quitting without paying rate, may be followed. Commissioners may mitigate the rates. Persons paying the rates exempted from paving. The act not to make void agreement between landlord and tenant. Trustees under act of 16 Geo. 2. to pay 235l. to commissioners under this act, for paving such part of Church lane as lies within the parish of Saint George. Impowering the trustees

trustees of the parish of Saint George, under their act 16 Geo. III, to raise 235l. by an assessment. Commissioners may act as justices. Commissioners may borrow money at interest, or raise money by sale of annuities; not exceeding 3,000l. Commissioners' order to entitle the contributor to the payment of his interest and annuity, charged upon the rates. Annuities deemed indefeasible estates; not chargeable to the land tax. Annuities may be assigned *toties quoties*. Monies may be raised by sale of annuities, in the place of those that have ceased, for the payment of the interest money. Impowering the commissioners to pave the foot and carriage ways of other streets, in case a majority of the inhabitants shall request it; and assess them at 18. 6d. per pound per annum. Accounts of optional streets to be kept separate. Penalties may be mitigated. Commissioners who are justices may act. Justices may administer oaths. Actions may be instituted in the name of the treasurer. Persons aggrieved may appeal to the quarter sessions. Penalties and forfeitures how to be recovered and applied. Distress not to be deemed unlawful for want of form. Plaintiff not to recover, if tender of sufficient amends hath been made. Writings to be without stamps. Proceedings to be entered in a book. Books may be read in evidence. Proceedings not to be quashed for want of form. Act 3d George III, cap. 53, concerning Whitechapel church, recited. Impowered to raise 1200l. which had been expended. Trustees under former act impowered to raise 1700l. more to defray the remaining debts, by sale of annuities. Not to exceed 10l. per cent. Expences of this act to be paid, half out of the money raised by this act for the church, the other by the paving rate. Limitation of actions, six calendar months. Defendant may plead the general issue, and give the special matter, &c. in evidence; and if he obtain a verdict, &c. to recover treble costs. Publick act.

C A P. XCII.

An act for making and maintaining a navigable canal from a place near Rider's Green, in the county of Stafford, to Broadwater fire engine, and six collateral cuts from the same, to several coal mines; and also a navigable canal from or near the town of Birmingham, to join the Coventry canal at or near Fazeley, in the parish of Tamworth, in the said county of Stafford, with a collateral cut to the lower part of the said town of Birmingham.

C A P. XCIII.

An act to enlarge the term and powers of an act, passed in the second year of the reign of his present Majesty, for amending, widening, altering, and keeping in repair, the road from the south end of Sparrows Herne on Bushy Heath, through the market towns of Watford, Berkhamsted, Saint Peter's, and Tring, in the county of Hertford, by Pettipher's Elms, to the turnpike road at Walton, near Aylesbury in the county of Bucks.

C A P. XCIV.

An act for continuing the term, and altering and enlarging the powers of several acts of parliament therein mentioned, so far as the same relate to the repairing and amending of the roads leading from Leeds, through Bradford and Horton, and through Bowling and Wibsey, to Halifax, and also the roads called Bowling Lane, and Little Horton Lane, in the west riding of the county of York.

C A P. XCV.

An act to enlarge the term and powers of two acts, made in the fourteenth and twenty-sixth years of the reign of king George the Second, for repairing the roads from Doncaſter, through Ferrybridge, to the ſouth ſide of Tadcaſter Croſs; and alſo from Ferrybridge to Wetherby, and from thence to Boroughbridge, in the county of York; ſo far as the ſame relate to the road between Ferrybridge and Wetherby, and from thence to Boroughbridge.

C A P. XCVI.

An act for enlarging the term and powers of an act paſſed in the firſt year of the reign of his preſent Maſeſty, intituled, An act for repairing and widening the roads from Dyed Way to Somerton, and from Gawbridge to Tintinbull Fords, and from a ſtream of water called Ford, to Cartgate in Martock, in the county of Somerſet.

C A P. XCVII.

An act for continuing and amending two acts, of the ninth and twenty ſeventh years of his late Maſeſty, for repairing and widening the road from Saint Dunſtan's Croſs, near the city of Canterbury, to the water-ſide at Whitſtable, in the county of Kent.

C A P. XCVIII.

An act for continuing the term and altering and enlarging the powers of an act of the ſecond year of his preſent Maſeſty, for amending, widening, and keeping in repair, ſeveral roads leading from Clebury Mortimer, the Croſs Houſes, Glazeley, and the turnpike gate on Abberly Hill, in the counties of Salop and Worceſter.

C A P. XCIX.

An act to enlarge the term and powers of an act, made in the ſecond year of his preſent Maſeſty's reign, for repairing, widening, and altering the road from Sanden, in the county of Staffrd, to Bullock Smithy, in the county of Cheſter, and from Hilderſtone to Draycott in the Moors; and from Wetley Rocks to Tean, in the ſaid county of Staffrd.

C A P. C.

An act for continuing the term, and altering and enlarging the powers of an act of the third year of his preſent Maſeſty, for repairing the roads from Maidenhead Bridge to Reading, and from the ſaid bridge to Henley Bridge, in the county of Berks.

C A P. CI.

An act for continuing and enlarging the term and powers of an act, made in the third year of the reign of his present Majesty, for repairing and widening the road from Lawton, in the county of Chester, to Burslem and Newcastle under Lyme, in the county of Stafford, and other roads therein mentioned.

C A P. CII.

An act for enlarging the term and powers of an act, made in the first year of the reign of his present Majesty, intituled, An act for making, widening, and repairing a road from the north-east side of the Goswell Street Road next Iffington, in the county of Middlesex, and near to the road called The New Road, over the fields and grounds, to Old Street Road, opposite to the Doghouse Bar, and at and from the Doghouse Bar to the end of Chiswell Street, by the Artillery Ground.

C A P. CIII.

An act for repairing and widening the roads leading from Wetherby to Knaresborough, in the county of York.

C A P. CIV.

An act for amending and widening the road from the passage or ferry over the river Severn at Newnham, in the county of Gloucester, through the parishes of Newnham and Little Dean, to a place called Saint White's, adjoining his Majesty's forest of Dean, in the said county.

C A P. CV.

An act for continuing and amending an act, of the third year of his present Majesty, for repairing and widening the road leading from the town of Stafford, to Sandon, in the county of Stafford, and several other roads in the counties of Salop and Stafford.

C A P. CVI.

An act for completing and keeping in repair the road from the Ram inn, in the town of Cirencester, in the county of Gloucester, through the town of Tetbury, to Oldfield, otherwise Woelfield Corner, near the sixteenth mile stone in the Bath road, and a road from thence through the parishes of Cold Ashton and Swanf-wick, to or near Lambridge, in the parish of Bath Easton, near the city of Bath; and for continuing the present road from the said corner to or near the monument upon Landdown, until the intended road from the said corner to or near Lambridge be made fit for travelling.

C A P. CVII.

An act to revive and render more effectual an act paſſed in the thirtieth year of the reign of his late majeſty king George the Second, for repairing the road from Markfield Turnpike, in the county of Leiceſter, over Charley, otherwiſe Charnwood Forest, through the town of Whitwick, and from thence through Talbot Lane, to where the road leading from the town of Loughborough, to the town of Aſby de la Zouch, in the ſaid county, comes in from Ryley Lane, near to a place called Snape Gate.

C A P. CVIII.

An act for enlarging the term and powers of an act, made in the ſecond year of the reign of his preſent majeſty king George the Third, intituled, An act for widening, repairing, and amending the road from Heſket, by Yews Bridge, to Cocker-mouth; and from thence, by Lorton, over Whinlatter, to Keſwick, in the county of Cumberland; and from Keſwick, by Dummail Rays and Ambleside, to Kirby in Kendall, in the county of Weſtmoreland; and from Plumbgarth's Croſs, near Kirby in Kendall aforeſaid, to the lake called Windermere, in the county of Weſtmoreland; and from Keſwick aforeſaid, to the town of Penrith, in the county of Cumberland.

C A P. CIX.

An act for enlarging the term and powers of an act, paſſed in the ſecond year of his preſent Majeſty's reign, for altering, widening, and amending the road from the north gate of the city of Wincheſter, over Worſthy Cow Down, through Whitechurch, and other places, to Newtown River; and alſo the road from Worſthy Cow Down aforeſaid, through Wherwell, to the preſent turnpike road at Andover, in the county of Southampton.

C A P. CX.

An act for enlarging the term and powers of two acts, made in the ſeventh year of king George the Firſt, and the eighth year of king George the Second, for repairing the road from Saint Giles's Pound to Kilbourne Bridge, and for paving Oxford Road; and alſo of an act, made in the twenty-ninth year of king George the Second, to enable the reſpective truſtees of the turnpike roads leading to Highgate Gate Houſe and Hampſtead, and from Saint Giles's Pound to Kilbourne, to make a new road from the great northern road at Iſlington to the Edgware road near Paddington; ſo far as the ſame is by the ſaid act directed to be under the management of the truſtees of the ſaid two firſt-mentioned acts.

C A P. CXI.

An act for continuing the term, and altering and enlarging the powers of two acts made in the second and twenty-fifth years of the reign of his late Majesty, for repairing the highways between Sheppards Sbord, and Horsley Upright Gate, leading down Bagdown Hill, in the county of Wilts, and other ruinous parts of the highways thereunto adjacent.

END of PART II. VOL. XXXIV.

THE
STATUTES at Large, &c.

Anno regni GEORGII III. Regis, Magnæ Britannicæ, Franciæ, & Hiberniæ, vicesimo quarto.

AT the parliament begun and holden at Westminster, the thirty-first day of October, Anno Domini 1780, in the twenty-first year of the reign of our sovereign lord GEORGE the Third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued, by several prorogations, to the eleventh day of November, 1783; being the fourth session of the fifteenth parliament of Great Britain.

C A P. I.

An act for continuing and granting to his Majesty certain duties upon malt, beer, cyder, and perry, for the service of the year one thousand seven hundred and eighty-four.

Malt act of 1 Geo. 3. further continued to June 24, 1785, and 6 Geo. 1. recited. Clause of loan at 4l. 10s per cent. Exchequer bills issued by virtue of this act to be placed as cash in the offices of the tellers of the receipt of exchequer; to be issuable thereout in common with other monies, and to be current in the revenue. Receivers to exchange bills for ready money. Penalty on refusal, for 24 hours after demand subject to action for the money and full costs. Tallies to be levied for bills lent into the exchequer. Interest to be allowed till payment: except whilst the bills are in the hands of receivers, &c. Bills paid to receivers, &c. to be signed and dated. Bills may be re-issued, both for principal and interest. Receivers to keep books. 100l. penalty on receiver neglecting to keep books, &c. Bills filled up by indorsement, or defaced, to be exchanged. Bills not exceeding 5,000l. each, may be made forth at the exchequer. Forging exchequer bills, or indorsement thereon, felony. Commissioners to appoint persons to pay off principal sums, which shall from time to time be in course of payment upon exchequer bills, as money is brought in, to be paid to the paymasters. Bills to be registered in course. When

money is reserved for payment the interest to cease. Paymasters liable to the controul of the treasury. Treasury to settle salaries of clerks, &c. and to contract with persons to circulate bills, &c. at the rate of 4 l. 10 s. per cent per ann. Contractors not disabled from being members of parliament, &c. Contractors may lower or raise the interest, with consent of treasury. Contractors to be paid out of money issued to the paymaster. No fee to be taken by the officers of the exchequer, &c. No fractions of a penny to be paid for interest. Charges to be paid out of the sinking fund, and to be replaced out of the first supplies. Clause of relief for bills lost or destroyed. Bills discharged to be cancelled. Sinking fund appropriated to discharge national debts incurred before Dec. 25, 1716. Deficiency of the malt tax 2 Geo. 3. how to be supplied. Arrears of former duties to be applied in aid of the supplies granted for the year 1784.

C A P. II.

An act to continue, for a limited time, an act made in the last session of parliament, intituled, An act for preventing certain instruments from being required from ships belonging to the United States of America; and to give to his Majesty, for a limited time, certain powers for the better carrying on trade and commerce between the subjects of his Majesty's dominions, and the inhabitants of the said United States.

23 Geo. 3. c. 19. recited; and continued until April 20, 1784.

C A P. III.

An act to continue so much of an act made in the last session of parliament, as allows further time for the payment of certain sums due, and to become due to the publick, from the united company of merchants of England trading to the East Indies.

23 Geo. 3. c. 83. recited. Commissioners of the treasury may allow the company further time for the payment of their debts due to the publick till May 1, 1784.

C A P. IV.

An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and eighty-four. — Four shillings in the pound.

C A P. V.

An act to enable the company of proprietors of the E. with owners navigable cut or canal, more effectually to complete, and maintain the same.

Act 3 Geo. 3. c. 63. recited. Company of proprietors empowered to raise a further sum of 12,000 l. to be divided into shares of 50 l. each. Subscriptions raised since the passing the former act, deemed part of the capital stock. If subscriptions prove deficient, the company may borrow money, and assign the tolls as a security.

C A P. VI.

An act for establishing certain regulations concerning the postage and conveyance of letters and packets by the post between Great Britain and Ireland.

Preamble.
Recital of
1 Geo. 3. c. 24.

WHEREAS, by an act made in the fourth year of the reign of his present Majesty, intituled, An act for preventing frauds and abuses in relation to the sending and receiving of letters

letters and packets free from the duty of postage: it is, amongst other things enacted, That no letters or packets sent by the post, to or from any place whatsoever, shall be exempted from paying the duty of postage, except such letters and packets as are therein excepted: and whereas a post-office in the kingdom of Ireland is intended to be established, independant of that of Great Britain, in which case it will be necessary that proper regulations be made for carrying on the correspondence by post, between Great Britain and Ireland, and that no letters or packets (except in the cases herein-after to be mentioned) should pass free of postage from the one kingdom to the other: for which purpose, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty; by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled; and by the authority of the same, That, immediately from and after the establishment of a general post-office in Ireland, by the authority of the parliament of that kingdom, so much of the said act, made in the fourth year of the reign of his present Majesty, as relates to letters and packets, printed votes, pro-

Part of the recited act repealed from the establishment of a general post-office by th

is hereby repealed:

II. And whereas the conveyance of letters and packets from Great Britain to Ireland, and from Ireland to Great Britain, is intended to be defrayed at the expence of the revenue of Great Britain, be it therefore further enacted, That nothing herein contained shall deprive, or be construed to deprive, the postmaster-general for the time being; and his deputies; of the postage and conveyance of letters and packets from Great Britain to Ireland, and from Ireland to Great Britain, or prevent the said postmaster-general, and his deputies, from demanding, having; receiving, and taking, for the use of his Majesty, his heirs and successors, the rates by any act or acts of parliament payable for the same:

Not to deprive the postmaster-general of the postage to and from Ireland.

III. Be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his Majesty's postmaster-general, and his deputies, and he and they are hereby required to demand and receive, for the port and conveyance of all letters and packets for Great Britain, carried by the post within any part of Ireland, in addition to the rates of postage hereby reserved; such further rates of postage as shall, upon the establishment of a post-office in Ireland, be charged for conveyance of letters and packets therein, by any act or acts to be hereafter made by the parliament of that kingdom; and that his Majesty's postmaster-general shall, and he is hereby authorised and required to account for and pay to the revenue of the post-office of Ireland, quarterly, such postage so to accrue within the kingdom of Ireland, and to be received within that of Great Britain.

Certain additional rates allowed to the postmaster-general, to be accounted for to the post-office in Ireland.

IV. And be it further enacted by the authority aforesaid,

A temporary allowance to be made to the poſt-office in Ireland.

That, until the general poſt-office of *Ireland* ſhall have eſta- bliſhed packet boats for the port and conveyance of letters and packets from *Ireland* to *Great Britain*, there ſhall be allowed in account, from the general letter-office or poſt-office in *Great Britain*, to the revenue of the poſt-office in *Ireland*, a ſum not exceeding four thouſand pounds *per annum*, by quarterly pay- ments, in lieu as well of the profits of the ſaid packets, as in compenſation for other purpoſes.

General poſt-office in Ire- land to be conveyed to the poſtmaſ- ter general there.

V. And be it further enacted by the authority aforeſaid, That the poſtmaſter-general of *Great Britain*, and all and every other perſon and perſons in whom the buildings erected in *Dublin*, and known by the name of *The General Poſt-office in Ireland*, are or ſhall be veſted, ſhall, and he and they are here- by ſeverally authoriſed and required, ſo ſoon as a poſt-office ſhall be eſta bliſhed in *Ireland*, by authority of the parliament of that kingdom, to aſſign over and convey to the poſtmaſter- general of *Ireland* for the time being, for the uſe of his Maſteſty, his heirs and ſucceſſors, without any conſideration, being paid for the ſame, all and ſingular the ſaid buildings and all right, title, and intereſt whatſoever, in and to the ſame.

Postmaſter- general may authoriſe cer- tain perſons to ſend and receive print- ed votes, &c. to and from Ireland.

VI. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for his Maſteſty's poſtmaſter- general for the time being to authoriſe certain perſons to ſend and receive printed votes, proceedings in parliament, and printed newspapers, by the poſt, to and from *Great Britain* and *Ire- land*, at the rate of one penny only for each printed vote and proceeding in parliament, and each printed newspaper, over and above the printed price thereon, to be carried to the re- venue of the poſt-office of *Great Britain*; and all printed votes and proceedings in parliament, and printed newspapers, ſo ſent and received, ſhall be free from any other rate of poſtage whatſoever.

Any perſon may ſend printed votes, &c. by the poſt, for and each, provided the packets are open at each end.

VII. Provided, That it ſhall and may be lawful for any per- ſon whatſoever to ſend any printed votes, proceedings in par- liament, and printed newspapers, by the poſt, to and from *Great Britain* and *Ireland*, at the rate of one penny for the carriage of each printed vote and proceeding in parliament, and each printed newspaper; ſuch printed votes, proceedings, and printed newspapers, when ſo ſent, to be open at both ends; the penny required to be paid for the carriage of the ſame to be paid, when the ſaid printed votes, proceedings in parliament, and printed newspapers, ſhall be put into the poſt-office; which printed votes, proceedings in parliament, and printed newspa- pers, ſhall be marked *Poſt paid*, and the money received thereon ſhall be carried to the revenue of the poſt-office of *Great Britain*.

C A P. VII.

An act to explain and amend an act, made in the last session of parliament, intituled, An act for repealing an act, made in the twenty-second year of his present Majesty, intituled, An act for charging a stamp-duty upon inland bills of exchange, promissory notes, or other notes, payable otherwise than upon demand; and for granting new stamp-duties on bills of exchange, promissory and other notes; and also stamp-duties on receipts; and for indemnifying all persons who have written or signed any bill of exchange, promissory or other note, or any receipt, not stamped according to law.

WHEREAS by an act, made in the last session of parliament, *Preamble* (intituled, An act for repealing an act, made in the twenty-second year of his present Majesty, intituled, *An act for charging a stamp-duty upon inland bills of exchange, promissory notes, or other notes, payable otherwise than upon demand; and for granting new stamp-duties on bills of exchange, promissory and other notes, and also stamp-duties on receipts;*) it was enacted, *That, from and after the first day of August, one thousand seven hundred and eighty-three, there should be raised, levied, collected, and paid, throughout the kingdom of Great Britain, unto and for the use of his Majesty, his heirs and successors, the several rates and duties following; (that is to say), for every piece of vellum or parchment, or sheet or piece of paper, upon which any foreign or inland bill of exchange, promissory note, or other note, draft, or order, should be ingrossed, written, or printed, where the sum expressed therein, or made payable thereby, should not amount to the sum of fifty pounds; there should be charged a stamp-duty of sixpence; and for every piece of vellum or parchment, or sheet or piece of paper, upon which any foreign or inland bill of exchange, promissory note, or other note, draft, or order, should be ingrossed, written, or printed; where the sum expressed therein, or made payable thereby, should amount to the sum of fifty pounds, or upwards, there should be charged a stamp-duty of one shilling: and it was enacted, That, from and after the first day of September, one thousand seven hundred and eighty-three, there should be raised, levied, collected, and paid, throughout the kingdom of Great Britain, the several rates and duties following; (that is to say), for every piece of vellum or parchment, or sheet or piece of paper, upon which any receipt or other discharge given upon the payment of money, amounting to two pounds, and not amounting to the sum of twenty pounds, should be ingrossed, written, or printed, there should be charged a stamp-duty of two-pence; and for every piece of vellum or parchment, or sheet or piece of paper, upon which any receipt or other discharge given upon the payment of money, amounting to the sum of twenty pounds, and upwards, should be ingrossed, written, or printed, there should be charged a stamp-duty of four-pence: and it was further enacted by the said act, That all powers, provisions, articles, clauses, distributions of penalties, and forfeitures, and all other matters and things prescribed or appointed*

by any former act or acts of parliament, relating to the stamp-duties on vellum, parchment, and paper, should be of full force and effect with relation to the duties thereby imposed, and should be executed and put in execution for the raising, levying, collecting, and securing the said new duties thereby imposed, according to the true intent and meaning of the said act, as fully and effectually, to all intents and purposes, as if the same had severally and respectively been thereby enacted, with relation to the said new duties thereby imposed: and whereas by several of the laws now in force, relating to the stamp-duties on vellum, parchment, and paper, it was enacted, That if any person or persons should ingross or write, or cause to be ingrossed or written, upon any vellum, parchment, or paper, any of the matters or things for which the said vellum, parchment, or paper, is thereby charged to pay any duty, before such time as the said vellum, parchment, or paper, shall be marked or stamped as aforesaid, or upon which there shall not be some mark or stamp resembling the same, or should ingross or write, or cause to be ingrossed or written, any matter or thing on any vellum, parchment, or paper, that should be marked or stamped for any lower duty than the duty, such acts payable for what should be so ingrossed or written, such person so offending, should, for every such offence, forfeit the sum of five pounds: and whereas of the said laws the penalty and forfeiture imposed on such offences, and whereas doubts have arisen, whether the said act of the last session of parliament extends any or either, and which of the penalties prescribed by the said former acts of parliament, to bills of exchange, promissory and other notes, and receipts or other discharges given for the payment of money, on vellum, parchment, or paper, not properly stamped: for remedy whereof, and to obviate such doubts, may it please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twenty-fifth day of March, one thousand seven hundred and eighty-four, all and every person or persons who shall write or sign, or cause to be written or signed, any bill of exchange, promissory or other note, or any receipt or other discharge given for the payment of money, liable to any stamp-duty charged by the said recited act of the last session of parliament, upon any piece of vellum, parchment, or paper, without the same being first duly stamped as in and by the said act is directed, or upon which there shall not be some stamp or mark resembling the same, he, she, or they shall, for every such bill of exchange, promissory or other note, or any such receipt or other discharge, so written or signed, forfeit and pay the sum of five pounds, to be recovered and applied as in and by the said recited act is directed, or in manner herein-after men-

No person, after March 25, 1784, to write or sign any bill of exchange, promissory note, or receipt, liable to any stamp-duty by the act of last session, except on stamped paper, &c. on penalty of 5 l.

All persons indemnified for having

II. Provided always, and be it enacted by the authority aforesaid, That no person shall be liable to any prosecution for having written or signed, or caused to be written or signed, previous

vious to the commencement of this act, any bill of exchange, promissory or other note, or any receipt or other discharge for the payment of money, upon any piece of vellum, parchment, or paper, not duly stamped according to the directions contained in the said recited act of the last session of parliament.

signed such receipts, &c. on untamped paper, before the commencement of this act.

III. And whereas drafts or orders for the payment of money on demand upon any banker, or person or persons acting as a banker, residing or transacting the business of a banker within ten miles of the place of abode of the person or persons drawing such draft or order, are exempted by the said herein-before recited act from the payment of the stamp-duty thereby imposed: and whereas it might tend to prevent evasions, if such exemption was confined to drafts or orders made payable to the bearer; be it therefore further enacted, That all drafts or orders, for the payment of money on demand, upon any banker, person or persons acting as bankers, which are not drawn payable to the bearer, shall be, and the same are hereby declared to be liable to and charged with the stamp-duties by the said herein-before recited act imposed upon foreign or inland bills of exchange, promissory notes, or other notes, drafts, or orders; the herein-before recited exemption in the said act to the contrary thereof notwithstanding.

Drafts on bankers, not payable to the bearer, to be liable to the same duties as bills of exchange, &c.

IV. And whereas it was not the intention of the said recited act to subject to any stamp duty any note, draft, or order, which may be legally given for any sum not amounting to forty shillings, therefore be it enacted, That no stamp-duty shall be required for or on account of any draft, order, or note, which may legally be given, wherein the sum expressed or made payable does not amount to the sum of forty shillings.

Notes, &c. under 40 s. not liable to any duty.

V. And whereas, by the said herein-before recited act, the duty thereby granted on receipts is directed to be paid by the person requiring the same, (except as therein is excepted), and a penalty is by this act imposed on any person who shall give a receipt on any parchment, vellum, or paper, not properly stamped as by the said act is directed: and whereas it would be a great convenience to traders and others to furnish the receipt properly stamped, if they were allowed to make a charge thereon; be it therefore enacted, That it shall and may be lawful for any person or persons required to give any receipt, to provide the paper stamped and marked as by the said recited act is directed; and such person or persons shall and may add the value of the stamp to the debit of the account of the person requiring the same, or to the demand, for the discharge of which the said receipt was required; which said charge so made shall be allowed to be good and valid in any court of law or equity.

Persons required to give a receipt may provide the stamp, and charge the value thereof.

VI. Provided always, and be it further enacted, That nothing in this act, or in the herein before recited act contained, shall extend, or be construed to extend, to charge or impose any stamp-duty upon any receipt given or to be given for the consideration for the purchase of any share in any publick stock or fund, or in the stocks of the corporations of the bank of England,

Receipts for the purchase of money in any publick fund, or for dividends thereof not liable to the duty;

England, East India company, or South Sea company, or for the dividends paid or payable on such shares of the said stocks.

nor those for
drawbacks,
&c.

VII. Provided always, and it is hereby further enacted by the authority aforesaid, That nothing in this act, or in the before-recited act of the last session, shall extend, or be construed to extend, to charge any receipt given or required to be given for any money payable by law to any merchants for drawbacks or bounties upon the exportation of any goods or merchandizes from this kingdom, nor to any certificates of over entry of any duties or customs, nor to any portage bills allowed to masters of ships or vessels for making a just and true report of their cargo at the custom-house; any thing in this act, or any other act or acts of parliament, to the contrary notwithstanding.

No bill of
exchange,
note, or re-
ceipt, to be
stamped after
written or
signed, unless
upon payment
of 10l.

VIII. Provided also, and be it further enacted; That no bill of exchange, promissory or other note, receipt or other discharge given for the payment of money, required to be stamped by the said recited act of the last session of parliament, shall be permitted to be stamped at any time after the same shall have been written or signed, unless upon payment of the sum of ten pounds; and the proper officer and officers are hereby enjoined and required, upon payment of the duty, and the said sum of ten pounds, unto him or them, to give a receipt for the same, and to mark or stamp such bill of exchange, promissory note, receipt or other discharge given for the payment of money, with the mark or stamp required by the said herein-before recited act.

Any neigh-
bouring jus-
tice may de-
termine of-
fences against
this act.

IX. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any justice of the peace residing near the place where the offence shall be committed, to hear and determine any offence against this act, or the said recited act of the last session of parliament, which subjects the offender to the penalty of five pounds for writing or signing, or causing to be written or signed, any bill of exchange, promissory or other note, or any receipt or other discharge given upon the payment of money, without the same being first duly stamped; which said justice of the peace is hereby authorized and required, upon any information exhibited, or complaint made, in that behalf, to summon the party accused, and also the witnesses on either side, and to examine into the matter of fact; and upon due proof made thereof, either by the voluntary confession of the party, or by the oath of one or more credible witnesses or witnesses, to give judgment or sentence for the penalty, or forfeiture as in and by this act is directed, and to award and issue out his warrant under his hand and seal, for the levying the said penalty of five pounds to be adjudged on the goods of the offender; and to cause sale to be made thereof, in case they shall not be redeemed within six days, rendering to the party the overplus, (if any); and where the goods of such offender cannot be found sufficient to answer the penalty, to commit such offender to prison, there to remain

Penalties may
be levied by
distress.

On failure of
goods, of-
fender to be
committed.

for

for the space of three months, unless such pecuniary penalty shall be sooner paid and satisfied: and if any person or persons shall find himself or themselves aggrieved by the judgment of any such justice, then he or they shall and may, upon giving security to the amount of the value of such penalty and forfeiture, together with such costs as shall be awarded in case such judgment shall be affirmed, appeal to the justices of the peace at the next general quarter sessions for the county, riding, or place, which shall happen after fourteen days next after such conviction shall have been made, and of which appeal reasonable notice shall be given, who are hereby empowered to summon and examine witnesses upon oath, and finally to hear and determine the same: and in case the judgment of such justice shall be affirmed, it shall be lawful for such justices to award the person or persons to pay such costs occasioned by such appeal, as to them shall seem meet. Provided nevertheless, That it shall and may be lawful to and for the said justice, where he shall see cause, to mitigate and lessen any such penalties as he shall think fit (reasonable costs and charges of the officers and informers, as well in making the discovery as in prosecuting the same, being always allowed, over and above such mitigation), and so as such mitigation do not reduce the penalties to less than a moiety of the penalties incurred, over and above the said costs and charges; any thing contained in this act, or any other act of parliament, to the contrary notwithstanding.

Persons aggrieved may (on giving proper security) appeal to the quarter sessions.

whose determination shall be final.

Justice may mitigate penalties.

X. And be it further enacted, That if any person or persons shall be summoned as a witness or witnesses, to give evidence before such justice or justices, touching any of the matters relative to this act, or to the herein-before recited act of the 1.1st session of parliament, and shall neglect or refuse to appear at the time and place to be for that purpose appointed, (his or her reasonable expences being first paid or tendered), without a reasonable excuse for such neglect or refusal, to be allowed of by such justice or justices of the peace, or appearing, shall refuse to be examined on oath, and give evidence before such justice or justices of the peace before whom the prosecution shall be depending, that then every such person shall forfeit, for every such offence, the sum of forty shillings, to be levied and paid in such manner, and by such means, as is herein directed as to other penalties, without a reasonable excuse for such refusal, to be allowed of by such justice or justices of the peace.

Penalty on persons summoned as witnesses who shall neglect to appear.

XI. And be it further enacted, That all forfeitures and penalties mentioned in this act (the necessary charges for the recovery thereof being first deducted) shall be divided and distributed, one moiety thereof to the receiver-general of his Majesty's stamp-duties, (or some person authorised by him to receive the same), for the use of his Majesty, and the other moiety to the person or persons who shall inform and sue for the same.

Penalties and forfeitures how to be applied.

XII. Provided also, and be it enacted, That no person or

Complaints, persons &c. under this

act, to be
made within
a year after
the offence.

persons shall be liable to be convicted before any justice of peace for any offence committed against this act, or an act intitled, *An act for repealing an act, made in the twenty-second year of his present Majesty, intituled, An act for charging a stamp-duty upon inland bills of exchange, promissory notes, or other notes, payable otherwise than upon demand; and for granting new stamp-duties on bills of exchange, promissory and other notes, and also stamp-duties on receipts; unless complaint or information shall be made or exhibited against such person or persons within one year after such offence committed.*

C A P. VIII.

An act for the more easy and speedy recovery of small debts within the town and port of Dover, and the parishes of Charlton, Buckland, River, Ewell, Lydden, Coldred, East Langdon, West Langdon, Ringwould, Saint Margaret's At Cliff, Whitfield otherwise Beausfield, Guston, Hougham otherwise Huffham, Caple le Fern, and Alkham, and also the liberty of Dover Castle, in the county of Kent.

The name and style to be the Court of Requests in the Town and Port of Dover: debts above 2s. and under 40s. may be recovered therein: Commissioners appointed.

C A P. IX.

An act to enlarge the powers of an act made in the thirtieth year of the reign of his late majesty King George the Second, intituled, An act for draining and preserving certain marsh and ten lands, and low grounds, in the parish of Wiggenshall Saint Mary Magdalen, in the county of Norfolk.

Recital of an act 30 Geo. 2. c. 32. Commissioners of former act to be commissioners in this. Meetings of commissioners as in former act. Power to lay a further tax of 2s. 6d. per acre per ann. on lands on the west side of South and North Heading Drains, and 1s. 3d. per acre per ann. on lands on the east side of said drains. Rates to be not less than a moiety until payment of the money to be borrowed. Power to borrow 3,000l. and to assign the rates as a security. Mortgagees to be creditors in equal proportion, without priority. The money to be borrowed to pay the charges of this act, and then for altering, removing, rebuilding, or repairing, engines, &c. The rates to be liable, in the first place, to the payment of the money to be borrowed, and interest thereof. Creditors may discount for interest, if not paid half yearly, or within three months after. Securities transferrable. A dam, bank, drain, and sluice, to be made within three months after passing this act, across the end of The North Hook. Provide, that at the expiration of ten years, if said dam, &c. is prejudicial to the drainage of lands south of said Simons Load, the same to be removed. May make allowance for catching moles and vermin. No trees or hols to be within 400 yards of any engines now or hereafter erected by this or the former act, nor any building to be hereafter erected within the same distance. No mill or engine to be erected or used for drainage of owners own lands only. Clauses, &c. of former act extended to this. All suits to be commenced within six calendar months, and brought in Norfolk. General issue. Treble costs. Publick act.

C A P. X.

An act for appointing commissioners to put in execution an act of this ſeſſion of parliament, intituled, An act for granting an aid to his Ma- jeſty by a land tax, to be raiſed in Great Britain, for the ſervice of the year one thouſand ſeven hundred and eighty-four; together with thoſe named in two former acts for appointing commissioners of the land tax, and with thoſe named in an act of the laſt ſeſſion of parliament, inti- tuled, An act for granting an aid to his Maſtey by a land tax, to be raiſed in Great Britain, for the ſervice of the year one thouſand ſeven hundred and eighty-three.

C A P. XI.

An act for puniſhing mutiny and deſertion; and for the better payment of the army and their quarters.

Number of forces 17,483, including 2,030 invalids, continued for one year,

C A P. XII.

An act to authoriſe the removal of priſoners in certain caſes; and to amend the laws reſpecting the transportation of offenders.

WHEREAS difficulties have occurred, which have delayed Preamble.

the carrying into execution ſentences and orders of transportation of convicts to places beyond the ſea; and it may be ſome time be- fore the ſaid difficulties can be obviated: and whereas, from the un- uſually great number of offenders now under ſentence of death and reſpited during his Maſtey's pleaſure, or under ſentence or order of transportation, in the gaols within England and Wales, there is ſuch a want of convenient and ſufficient room in many of ſuch gaols that very dangerous conſequences are to be apprehended, unleſs ſome immediate provision be made for removing ſuch offenders to ſome other place of confinement: be it therefore enacted by the King's moſt excellent maſtey, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent par- liament aſſembled, and by the authority of the ſame, That, His Maſtey from an immediately after the twenty-fifth day of March, one thouſand ſeven hundred and eighty-four, it ſhall be lawful for his Maſtey, from time to time, by an order in writing to be notified by one of his Maſtey's principal ſecretaries of ſtate, or for any three or more of ſuch of his Maſtey's juſtices of the peace acting in and for the county, city, or place, in which ſuch gaol ſhall be ſituated, as ſhall be authoriſed by his Ma- jeſty, under his ſign manual, to direct the removal of any one or more male offender or offenders, who, during the continu- ance of this act, ſhall be under ſentence of death with a reprieve during his Maſtey's pleaſure, or under ſentence or order of transportation, and who, having been examined by an expe- rienced ſurgeon or apothecary, ſhall appear to be free from any putrid or infectious diſtemper, and fit to be removed from the gaol or priſon in which ſuch offender or offenders ſhall be con- fined, to ſuch place of confinement within England, or the do- minion

His Maſtey impowered to order, or to authoriſe three juſtices of peace to order, the re- moval of male priſoners under ſentence of death, &c. from any gaol in England or Wales.

minion of *Wales*, either at land, or on board any ship or vessel in the river *Thames*, or any navigable or other river, or within the limits of any port of *England* or *Wales*, as his Majesty, or any three or more of such justices, authorised as aforesaid, shall from time to time appoint, and under the management of any overseer or overseers to be appointed by his Majesty, or any three or more of such justices authorised as aforesaid; and every offender who shall be so removed shall continue in the said place of confinement, or be removed to and confined in any other such place or places as aforesaid, as his Majesty, or as any three or more of such justices, authorised as aforesaid, from time to time shall appoint, until such offender shall be transported according to law or by the expiration of the term of such transportation, or otherwise, shall be intitled to his liberty, or until his Majesty, or until any three or more of such justices, authorised as aforesaid, shall direct the return of such offender to the gaol or prison from which he shall have been so removed.

Gaolers to deliver offenders according to such orders, with a proper certificate.

II. And be it further enacted, That the sheriff or gaoler, having the custody of any offender whose removal shall be ordered in manner aforesaid, shall, with all convenient speed after receipt of the notification of any such order, convey, or cause to be conveyed, every such offender to the place appointed, and there deliver him, with a certificate of his christian name, surname, and age, and of his offence, and of the court in which he was convicted, and also of the purport of his sentence, to such overseer or overseers as aforesaid, who shall give a proper receipt in writing to the sheriff or gaoler, for the discharge of such sheriff or gaoler.

Gaolers fees, and expences of removal, to be paid by the county, &c.

III. And be it further enacted, That all fees, on delivering out of the custody of such sheriff or gaoler any such offender so ordered to be removed, as hath usually been paid, and would have been due to them respectively if such offender had been removed in order to have been transported, and all reasonable expences which the sheriff or gaoler shall incur in every such removal, shall be paid by the county, riding, city, borough, liberty, or other division, for which the court in which the offender was convicted shall have been held; and the sheriff or gaoler shall receive the money due for such fees and expences from the treasurer of such county, riding, city, borough, liberty, or other division, such fees and expences being first allowed by the order of the justices of the peace at their quarterly or other general sessions of the peace, who are hereby required to make such order as shall be just in that behalf.

Overseers, to whom such prisoners are delivered, to have the same powers over them as gaolers, &c.

IV. And be it further enacted, That after delivery of any offender under this act, the overseer who shall have the custody of him shall, during the term of such custody, have the same powers over him as are incident to the office of a sheriff or gaoler; and in like manner be answerable for any escape of such offender; and also, during such custody, shall feed and clothe such offender; and shall keep him in such manner, and where

where the same can safely be done, permit him to labour at such places, and under such directions, limitations, and restrictions, as his Majesty, or as any three or more of such justices, authorised as aforesaid, shall, from time to time, by any order to be directed to such overseer or overseers for their instruction, appoint; and shall allow him half the profits arising from such labour for his own use; and in the mean time, as nearly in conformity to the treatment of persons committed to houses of correction as the nature of the case will allow.

Prisoners to be allowed half their earnings;

V. Provided always, and be it further enacted, That nothing contained in this act shall extend to authorise putting to labour any person, whilst he continues confined by virtue of this act, who shall not consent thereto.

but shall not be forced to work;

VI. And it is hereby declared, That all the time during which any offender, being removed under the provisions aforesaid, shall continue confined by virtue of this act, shall be reckoned in discharge, or part discharge, or satisfaction of the term of his transportation, so far as such time shall extend.

Time of imprisonment to be deemed part of the term of transportation.

VII. And be it further enacted, That if any offender shall, during such custody under this act, be guilty of any misbehaviour or disorderly conduct, it shall be lawful for such overseer or overseers, having the custody of such offender, to inflict, or cause to be inflicted, such moderate punishment as may be inflicted by law on persons committed to a house of correction; and if any such offender shall break from, or unlawfully leave the custody of such overseer or overseers, or if any person shall rescue, or attempt to rescue, or assist in rescuing, any such offender from such custody, or shall supply any arms or instrument of escape, or any disguise, to such offender, every such offence shall be punishable in the same manner as if such offender was in a goal or prison, in the custody of the sheriff or other gaoler, for the crime of which such offender shall have been convicted.

Overseers may inflict moderate punishment for misbehaviour, &c.

VIII. And be it further enacted, That the overseers of the several places of confinement to be appointed by virtue of this act, shall, from time to time, make returns, specifying the names of every person in their custody, the offence of which he shall have been guilty, the court before which he shall have been convicted, the sentence of the court, with his age, and bodily state, and his behaviour whilst in custody; and also the name of such offenders who shall have died under such custody, or shall have escaped, or have been lawfully released from the same; which returns shall be made the first day of every term to his Majesty's court of King's Bench at Westminster, on the oath of the person or persons making the same; such oath to be made before the said court, or any commissioner authorised to take affidavits in the same.

Overseers to make returns of prisoners to the court of King's Bench, the first day of every term.

IX. And whereas there are several persons confined in county and city goals in England and Wales, under sentences and orders made by a justice or justices of peace at their sessions, or otherwise, in a summary way, and not according to the course of the common law;

be

Justice of
assize, &c.
may remove
prisoners com-
mitted by jus-
tices of peace.

be it further enacted, That it shall and may be lawful for any justice of assize or great session, or any two or more justices of the peace, within whose jurisdiction the said gaol is situate, to remove any such person or persons to any house of correction within the said jurisdiction, there to remain in execution of the said sentence or order.

Any court
having autho-
rity to order
the transpor-
tation of of-
fenders, may
agree with
any persons,
and take secu-
rity for their
transporting
them, &c.

X. And whereas the security required by an act, passed in the fourth year of the reign of his late majesty King George the First, (intituled, An act for the further preventing robbery, burglary, and other felonies, and for the more effectual transportation of felons, and unlawful exporters of wool; and for declaring the law upon some points relating to pirates), relates only to the transportation of offenders to his Majesty's colonies and plantations in America: and whereas an act, passed in the nineteenth year of his present Majesty, intituled, An act to explain and amend the laws relating to the transportation, imprisonment, and other punishment, of certain offenders), hath not provided any security to be taken instead thereof; be it enacted, That it shall and may be lawful for any court, having competent authority to order the transportation of offenders, or any person or persons duly authorized for that purpose, to require and take, from any person or persons who shall be willing to contract or agree for the transportation of any offender or offenders, sufficient security that he or they will transport, or cause to be transported effectually, such offender or offenders to the place to which he, she, or they, is, are, or shall be ordered to be transported; and that the said offenders, or any of them, shall not be suffered to return from the said place to any part of Great Britain, by the wilful default of such person or persons so contracting as aforesaid, or his or their assigns; and instead of the certificate required by the said act of the fourth year of the reign of his late majesty King George the First, to take security for the production of such other evidence of the actual transportation of such offender or offenders as shall appear necessary, and as the nature of the case may warrant.

If offenders
cannot conve-
niently be
transported
to the place
mentioned in
their sentence,
the court of
King's Bench,
&c. may order
them to be
transported
to any other
place they
shall think
proper.

XI. And whereas the provisions of the said act, passed in the nineteenth year of the reign of his present Majesty, (intituled, An act to explain and amend the laws relating to the transportation, imprisonment, and other punishment, of certain offenders), are not sufficient to obviate the difficulties which have arisen in carrying into execution sentences and orders for transportation of felons, and others now under confinement: and whereas, in order to facilitate the transportation of such felons, and others, it is necessary, that authority should be given to transport them to any proper place beyond the seas, although the said place be not mentioned in the sentence or order for their transportation: be it enacted, That if any offender hath already been ordered to be transported to any part beyond the seas, or if hereafter any offender shall be under the like order, and such order cannot be conveniently executed with respect to the place in such order mentioned, it shall and may be lawful for the court of King's Bench, or for the court before which

which any ſuch perſon hath been or ſhall be convicted, or any court holden for the ſame county, city, riding, liberty, diſtriſh, or place, having like authority; or whiſt the court of *King's Bench* is not ſitting, for any two juſtices of the court of *King's Bench*, *Common Pleas*, or barons of the *Exchequer*, of the degree of the coif, if ſuch court, or ſuch two juſtices or barons, ſhall think fit, to order that ſuch offender ſhall be tranſported to any other part beyond the ſeas, which ſhall appear to ſuch court proper for that purpoſe, in ſuch and the like manner, and for the ſame term of years, as ſuch offender is or ſhall be liable to be tranſported to the place mentioned in the original ſentence or order for his or her tranſportation; and ſuch order ſhall be conſidered as made at the ſame time, and ſhall be as effectual to every intent and purpoſe, and ſhall have all the ſame conſequences in every reſpect, as the original order for the tranſportation of ſuch offender; and ſuch offender ſhall be transferred, conveyed, and made over to any perſon who will contract for the performance of ſuch tranſportation, and to his or their assigns, in like manner as if ſuch offender had been tranſported to the place mentioned in the original order of tranſportation; and ſuch perſon or perſons ſo contracting as aforeſaid, his or their assigns, by virtue of ſuch order of transfer as aforeſaid, ſhall have a property and intereſt in the ſervice of the ſaid offender for the remainder of the term for which the offender was originally ordered to be tranſported; and in caſe ſuch offender ſo ordered for tranſportation ſhall be afterwards at large within any part of this kingdom of *Great Britain*, without ſome lawful cauſe, before the expiration of the term for which ſuch offender ſhall have been ordered to be tranſported, every ſuch offender, being thereof lawfully convicted, ſhall ſuffer death as in caſes of felony, without benefit of clergy; and ſhall be tried before ſuch judges, and in ſuch manner, and the ſame evidence made uſe of for his or her conviction, as are directed by the laws now in being for the trial of other felons found at large within this kingdom before the expiration of the term for which they were ordered to be tranſported; and whoever ſhall diſcover, apprehend, and proſecute to conviction of felony without benefit of clergy, any ſuch offender ſo found at large within this kingdom, ſhall be intitled to the like reward of twenty pounds and certificate, and in the ſame manner as any perſon may be intitled to for diſcovering, apprehending, and proſecuting to conviction, any offender ordered to be tranſported, and found at large within this kingdom before the expiration of the term for which ſuch offender was ordered to be tranſported: provided always, That it ſhall not be lawful to order any offender to be tranſported to the coaſt of *Africa*, who ſhall be under ſentence or order of tranſportation to any other place.

Offenders returning before the expiration of their term, ſo ſuffer death

ſhall reward for proſecuting ſuch offenders.

XII. And be it further enacted, That the expences of carrying this act into execution, not otherwiſe provided for, ſhall be annually laid before both houſes of parliament; and after deducting thereout the profits, if any, ariſing from the earnings

Expences of executing this act to be laid annually before both houſes of parliament.

of the offenders who shall labour in any of the places of confinement to be appointed by virtue of this act, shall be provided for in the next supplies to be granted to his Majesty by parliament.

Persons prosecuted for executing this act may plead the general issue;

XIII. And be it further enacted, That if any suit or action shall be prosecuted against any person or persons for any thing done in pursuance of this act, such person or persons may plead the general issue, and give this act, or the special matter, in evidence at any trial to be had thereupon, and that the same was done by the authority of this act: and if a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuit, or discontinue his, her, or their action or actions after issue joined; or if on demurrer, or otherwise, judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall recover treble costs, and have the like remedy for the same, as any defendants have by law in other cases; and though a verdict shall be given to any plaintiff in such action or suit as aforesaid, such plaintiff shall not have costs against the defendant, unless the judge, before whom the trial shall be, shall certify his approbation of the verdict.

and, on obtaining a verdict, shall recover treble costs,

Limitation of actions.

XIV. And be it further enacted, That all actions, suits, and prosecutions, to be commenced against any person or persons for any thing done in pursuance of this act, shall be laid and tried in the county and place where the fact was committed, and shall be commenced within six calendar months after the fact committed, and not otherwise.

Continuance of this act.

XV. And be it further enacted, That the provisions of this act, so far as the same extend to authorize the removal of offenders to temporary places of confinement, shall continue to be in force for one year, to be computed from the twenty-fifth day of March, one thousand seven hundred and eighty-four, and also to the end of the then session of parliament; or if the said term of one year shall not determine during any session, then till the end of the then next ensuing session of parliament, and no longer.

C A P. XIII.

An act for defraying the charge of the militia in that part of Great Britain called England for one year, beginning the twenty-fifth day of March, one thousand seven hundred and eighty-four; and for lessening the number of deputy lieutenants, and justices of the peace, to act in the execution of the laws relating to the militia.

XV. **A**ND whereas by the laws now in being relative to the raising and training of the militia forces, certain acts are required to be done by three deputy lieutenants, or by two deputy lieutenants and one justice of the peace, or by one deputy lieutenant and two justices of the peace: and whereas it frequently happens that three deputy lieutenants, or two deputy lieutenants and one justice of the peace, or one deputy lieutenant and two justices of the peace, cannot be assembled for such purposes, whereby many inconveniences have arisen;

arifen; be it therefore enacted, That in all cafes where any act is required by the laws now in force to be done by three deputy lieutenants, or by two deputy lieutenants and one juftice of the peace, or by one deputy lieutenant and two juftices of the peace, fuch acts may be done by two deputy lieutenants, or by one deputy lieutenant and one juftice of the peace; and fuch acts fo done fhall be as valid and effectual as if the fame were done by three deputy lieutenants, or by two deputy lieutenants and one juftice of the peace, or by one deputy lieutenant and two juftices of the peace; any former act or acts of parliament to the contrary thereof in any-wife notwithstanding.

All acts heretofore required to be done by three dep. lieuts. and juftices, may be done by two dep. lieuts. &c.

C A P. XIV.

An act to continue the provifions of an act of the twenty third of his prefent Majefty, for granting a bounty upon the exportation of Britifh and Irifh buckrams and tillettings, Britifh and Irifh linens, Britifh calicoes and cottons, or cotton mixed with linen, printed, painted, ftained, or dyed in Great Britain, for a limited time.

23 Geo. 3. c. 21. recited; and continued whilft a bounty upon exportation of buckrams and tillettings, linens, calicoes, and cottons, mixed with linen, printed, painted, ftained, or dyed, fhall continue to be given by any act of parliament in Ireland.

C A P. XV.

An act for further continuing, for a limited time, an act made in the laft feflion of parliament, intituled, An act for preventing certain inftruments from being required from fhips belonging to the United States of America; and to give to his Majefty, for a limited time, certain powers for the better carrying on trade and commerce between the fubjects of his Majefty's dominions, and the inhabitants of the faid United States.

23 Geo. 3. c. 39. recited; and further continued until June 20, 1784.

C A P. XVI.

An act for allowing further time for inrolment of deeds and wills made by Papifts, and for relief of Proteftant purchafers.

Act 3 Geo. 1. continued to Sept. 1, 1784.

C A P. XVII.

An act for the regulation of his Majefty's marine forces while on fhore.
—Same as laft year.

C A P. XVIII.

An act for regulating, and rendering more effectual, the exaction of the ftatute-work within the fhire of Edinburgh; and for authorifing the trustees for putting in execution feveral acts for repairing the high roads in the county of Edinburgh, to borrow, upon the credit of the tolls arifing within the diftrict of Lafwade, a further fum of money, to be applied for payment of certain fums borrowed on the perfonal fecurity of the faid trustees; and for further repairing the roads within the faid diftrict.

C A P. XIX.

An act for settling the rates for the carriage of passengers and goods for hire to and from the Isle of Wight.

Prices of carriage to be assessed by the quarter sessions. Penalty on taking higher rates 5l. to be levied by distress and sale of goods, and in default one month's imprisonment. Masters names, &c. to be put on vessels; and a table of rates affixed in the cabin, &c. and also a description of houses, registered for receiving goods; upon pain of forfeiting 5l. Exception as to vessels carrying the mail, &c. unless engaged to carry passengers, &c. at an earlier hour. Persons aggrieved may appeal to the quarter sessions. Masters of vessels to appoint and engage houses for lodging goods, &c. To be registered by the clerk of the peace. Books to be kept at such houses, to enter goods delivered therein. Fees for entering goods in such books to be ascertained by quarter sessions. Carriers to deliver goods without delay at registered houses. Inhabitants of the Isle of Wight competent witnesses. Convictions not to be quashed for want of form. Form of conviction. Limitation of actions. Publick act.

C A P. XX.

An act for the appointment of an additional overseer, for the better government of the poor of the parish of Bradford, in the county of Wilts.

C A P. XXI.

An act for building a bridge over the river Ouse, at Newhaven, in the county of Suffex.

C A P. XXII.

An act for enlarging the term and powers of an act, passed in the fourth year of the reign of his present Majesty, for repairing and widening the road from Shillingford, in the county of Oxford, through Wallingford and Pangborne, to Reading in the county of Berks; and for building a bridge over the river Thames, at or near Shillingford Ferry.

C A P. XXIII.

An act to continue and enlarge the term and powers of an act made in the third year of the reign of his present Majesty, intituled, An act for repairing, widening, and keeping in repair, the road from Kirkby Kendall, in the county of Westmorland, to Kirkby Ireleth, in the county of Lancaster.

C A P. XXIV.

An act for enlarging the term and powers of an act, made in the fourth year of the reign of his present Majesty, for repairing and widening the road from Bramcote Odd House, in the county of Nottingham, to The Cross Post upon Smalley Common, in the county of Derby; and from Ilkeston to the towns of Heanor and Shipley, in the said county of Derby; and from Trowell, in the county of Nottingham, to the town of Nottingham; except so far as relates to the road leading from Ilkeston to the town of Shipley.

C A P.

C A P. XXV.

An act for enlarging the term and powers of an act of the third year of the reign of his present Majesty, for repairing the roads from Lemsford Mill, through Welwyn and Stevenage, and by Cory's Mill, to Hitchen, and from Welwyn, through Cedricot, to Hitchen, in the county of Hertford.

C A P. XXVI.

An act for enlarging the term and powers of an act, passed in the fifth year of the reign of his present Majesty, for repairing and widening the roads from the south end of Newton Abbott to the passage way in Kingswear, opposite Clifton Dartmouth Harbours; and from the end of a lane leading out of the turnpike road between Newton Abbott and Totnes, towards Abbott's Kerwell, to Five Lanes; and from Langver's Barn to the said turnpike road between Newton Abbott and Totnes; and from Galmpton Warborough to Monk's Bridge and Brixham Quay; and from Langver's Barn to the north end of Paington Town, all in the county of Devon.

C A P. XXVII.

An act to enlarge the term and powers of an act, made in the second year of the reign of his present Majesty, for repairing and widening the road from the Lostwithiel turnpike road, in the parish of Creed, in the county of Cornwall, through Tregony, to Ruan Laneborne; and from Dennis Water to three hundred yards on the south side of Trethim Mill in the parish of Saint Just, in the said county.

C A P. XXVIII.

An act for enlarging the term and powers of an act, passed in the second year of the reign of his present Majesty, for amending, widening, and keeping in repair, the road from Castle Street, at the end of the town of Hinckley, to Lutterworth Town's End; and from or near the guide post at Walcot Town's End, in the county of Leicestershire, to the eighty mile stone in Welford Field, in the county of Northampton.

C A P. XXIX.

An act for continuing the term and powers of two acts, made in the sixteenth and twenty-second years of the reign of his late majesty King George the Second, for repairing the high road from Boroughbridge, in the county of York, to Catherick, in the same county; and from thence to Piers-bridge, on the river Tees.

C A P. XXX.

An act for enlarging the term and powers of an act, paſſed in the ſecond year of his preſent Maſeſty's reign, intituled, An act for amending and widening the road from the turnpike road at or near the town of Swindon, to the north end or ſide of the town of Marlborough; and from the ſaid town of Marlborough to the village of Everley, in the county of Wilts.

C A P. XXXI.

An act for continuing the term, and altering and enlarging the powers, of an act of the third year of the reign of his preſent Maſeſty, for repairing, widening, and keeping in repair, ſeveral roads leading from the town of Barnſtable, in the county of Devon.

C A P. XXXII.

An act to continue and enlarge the term and powers of an act, made in the ſecond year of the reign of his preſent Maſeſty, intituled, An act for repairing and widening the road from Coſham, in the county of Southampton, to the city of Cheſter.

C A P. XXXIII.

An act for continuing the term and powers of an act, made in the third year of the reign of his preſent Maſeſty, for repairing the road from the fourteen mile ſtone, in the pariſh of Methvey, to Tavern Spite, in the county of Carmarthen; and for repairing, amending, and keeping in repair, ſeveral other roads within the ſaid county.

C A P. XXXIV.

An act for continuing and amending an act of the fourth year of his preſent Maſeſty, for repairing and widening the roads from Spalding High Bridge, to the market place in Donington; and from the tenth mile ſtone in the pariſh of Goſbertown, to the eighth mile ſtone in the pariſh of Wigteſt, in the county of Lincoln.

T H E

Statutes at Large,

Anno vicesimo quarto GEORGE III. Regis.

Being the FIRST Session of the

Sixteenth Parliament of GREAT BRITAIN.

THE
STATUTES at Large, &c.

Anno regni GEORGII III. Regis, Magnæ Britanniæ, Franciæ, & Hiberniæ, vicefimo quarto.

AT the parliament begun and holden at Westminster, the eighteenth day of May, Anno Domini 1784, in the twenty-fourth year of the reign of our sovereign lord GEORGE the Third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. Being the first session of the sixteenth parliament of Great Britain.

C A P. I.

An act for further continuing, for a limited time, an act made in the twenty-third year of the reign of his present Majesty, intituled, An act for preventing certain instruments from being required from ships belonging to the United States of America; and to give to his Majesty, for a limited time, certain powers for the better carrying on trade and commerce between the subjects of his Majesty's dominions, and the inhabitants of the said United States.

Act 23 Geo. 3. c. 39. continued till Aug. 1, 1784, and further continued until Aug. 1, 1785.

C A P. II.

An act to empower the East India company to make a dividend to the proprietors of East India stock, at Midsummer, one thousand seven hundred and eighty-four.

East India company empowered to make a dividend for the half year ending July 5, 1784, not exceeding 4 per cent; on capital of 3,200,000l.

CAP.

C A P. III.

An act for more effectually preventing frauds and abuses committed by persons employed in the manufactures of combing wool, worsted yarn, and goods made from worsted, in the county of Suffolk.

Preamble.

Recital of
acts 22 Geo.
2. c. 27;

14 Geo. 3. c.
44;

and 15 Geo.
3. c. 14.

WHEREAS by an act, made in the twenty-second year of the reign of his late majesty King George the second, intituled, An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and silk manufactures; and for preventing unlawful combinations of journeymen dyers, and journeymen hot-pressers, and of all persons employed in the said several manufactures; and for the better payment of their wages: and by another act, made in the fourteenth year of the reign of his present majesty King George the third, intituled, An act to amend an act, made in the twenty-second year of the reign of his late majesty King George the second, intituled, An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and silk manufactures; and for preventing unlawful combinations of journeymen dyers, and journeymen hot-pressers, and of all persons employed in the said several manufactures; and for the better payment of their wages: and by another act, made in the fifteenth year of the reign of his said present Majesty, intituled, An act to explain and amend an act, made in the fourteenth year of his present Majesty, intituled, An act to amend an act, made in the twenty-second year of the reign of his late majesty King George the second, intituled, "An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and silk manufactures; and for preventing unlawful combinations of journeymen dyers, and journeymen hot-pressers, and of all persons employed in the said several manufactures; and for the better payment of their wages;" certain penalties and punishments in the said acts respectively mentioned are inflicted upon all persons who shall reel false or short yarn, and on persons embezzling the materials used in the said manufactures: and whereas the good purposes of the said laws have been greatly frustrated from the manufacturers of combing wool, worsted yarn, and goods made from worsted, being unwilling to expose themselves singly to the loss attending the resentment of the spinners and work people by prosecuting them for offences against the said acts: and whereas this important branch of the woollen manufacture will be greatly prejudiced thereby, unless the manufacturers are enabled jointly to carry these laws into effectual execution, which cannot be done without the aid of parliament: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the

the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That a general meeting of the manufacturers of combing wool, worsted yarn, and goods made from worsted, in the county of *Suffolk*, shall be held at *Stow Market* in the said county, on the second *Tuesday* in the month of *August* next ensuing after the passing of this act, at the hour of eleven of the clock in the forenoon of the same day, notice of which shall be given in the *Ipswich* and *Bury* newspapers at least twenty-one days before the said meeting, by the clerk of the peace of the county of *Suffolk*; at which said general meeting the said manufacturers present by themselves, or proxies appointed by writing under the hand of any of such manufacturers, shall have votes; and having first chosen a chairman, the said manufacturers shall elect, nominate, and appoint fifteen persons from amongst themselves, which said fifteen persons so to be elected, shall be a committee of the said manufacturers for the time being, and until another committee shall be chosen and appointed in the manner herein-after provided, and so as often as there shall be occasion; which committee are hereby authorised and empowered to nominate and recommend two or more proper persons to be licensed by the justices of the peace of the county of *Suffolk* at any of their quarter sessions for the said county, or any adjournment thereof, to be inspectors for the purposes herein-after mentioned; and also to have the direction of all prosecutions of offenders against this and the said before mentioned acts, and the management of the fund herein-after to be created, and to do all other matters and things which may be deemed necessary and proper for the carrying this act into execution, in such manner as the said committee of the manufacturers for the time being, or any five or more of them, at a publick meeting to be assembled, shall judge and think best for the interest and advantage of all the said manufacturers.

General
meeting of
manufacturers
appointed.

II. And be it further enacted, That it shall and may be lawful to and for the said committee, or the greater part of them, at any general meeting assembled (and they are hereby authorised and required) from time to time to nominate and appoint, by writing under their hands, a proper person to be their clerk; which said clerk shall attend the meetings of the said committee, and shall in proper books, to be provided for that purpose, enter and keep true and perfect accounts of all the acts, proceedings, and transactions of the said committee; and that each and every of the said manufacturers shall and may at all convenient times have recourse to and peruse and inspect all such books *gratis*, and may demand and have copies thereof, or of any part thereof, paying two-pence for every one hundred words so to be copied; and if the clerk shall refuse to permit any such manufacturer to inspect such books, or refuse to make copies or extracts thereof at the rate or times aforesaid, he shall, for every such offence, forfeit the sum of five pounds,

Committee to
appoint a
clerk.

His duty.

to be recovered in fuch manner as any other penalty inflicted by this act is directed to be recovered.

Quarterly
meetings ap-
pointed.

III. And be it further enacted, That for the purposes afore-
faid a meeting of the faid committee for the time being fhall
be held four times in every year; (that is to fay) on the *Thurf-*
day before *Midfummer-day*, on the *Thurfday* before *Michaelmas-*
day, on the *Thurfday* before the *Epiphany*, and on the *Thurfday*
before *Eafter-day*, at eleven of the clock in the forenoon of
each and every of the faid days, who fhall have power to ad-
journ themfelves from time to time as occafion may require;
all which faid quarterly meetings of fuch committee fhall be
held at *Bury Saint Edmunds*, the firft of which faid quarterly
meetings fhall be held on the firft of the faid days on which
the faid quarterly meetings are herein before appointed to be
held, which fhall firft happen after the election of fuch com-
mittee as aforefaid; and at fuch firft quarterly meeting, and
every fubfequent quarterly meeting of fuch committee for the
time being, a chairman for each of fuch faid quarterly meetings
fhall be chofen, and all matters or things which fhall come be-
fore fuch committee for their determination, fhall be deter-
mined by a majority of votes of the members of fuch com-
mittee then prefent, and if there fhall be an equality of votes
upon any queftion which fhall come before the faid committee,
then the chairman fhall have a cafting vote, by which vote fuch
queftion in difpute fhall be determined.

Chairman to
be chofen.

Queftions to
be determined
by a major-
ity.

No bufinefs to
be done at
quarterly
meetings un-
lefs five mem-
bers prefent.

IV. Provided nevertheless, That in cafe there fhall not at
any of fuch quarterly meetings be there prefent and afsembled
five of the perfons conftituting fuch committee, then, and in
fuch cafe, it is hereby declared, that no bufinefs whatfoever
fhall be done at fuch meeting, and the majority of the per-
fons then prefent fhall caufe fourteen days notice to be given
in the *Ipfwich* and *Bury* weekly newspapers of fuch next
quarterly meeting.

Three com-
mittee men
may call a fpe-
cial meeting.

V. And be it further enacted, That if at any time it fhall
appear to any three or more of fuch committee for the time
being, that for the more effectual putting any of the powers
granted by this act into execution, or for settling or difcuffing
any matters or things whatfoever relative to the fame, a fpecial
meeting of fuch committee is neceffary or expedient to be held,
it fhall and may be lawful for the faid three or more of the
faid committee for the time being, to direct the clerk to
give notice of fuch fpecial meeting of the committee to every
member thereof, fetting forth the place where and the time
when fuch fpecial meeting fhall be appointed to be held; and
in cafe there fhall be then prefent at fuch fpecial meeting five of
the faid committee, it fhall and may be lawful to and for the
faid committee fo prefent to proceed in the execution of the
powers given by this act to fuch committee.

New commit-
tee men to be

VI. And it be further enacted, That in cafe any one or more
of the faid committee for the time being fhall die, or fhall de-
cline

cline buſineſs as a manufacturer, or ſhall go to reſide in any diſtant part of the kingdom, or ſhall wilfully abſent himſelf or themſelves from the ſaid quarterly meetings for the ſpace of one year, or reſuſe to act, then, and in ſuch caſe, it ſhall and may be lawful to and for the ſaid committee for the time being, at any of their ſaid quarterly meetings, there being five of ſuch committee then preſent, to chuſe another or other proper perſon or perſons, being manufacturers of combing wool, worſted yarn, or goods made from worſted, in his or their place or places, who ſhall have the ſame power and authority as if appointed at a general meeting.

VII. And be it enacted by the authority aforeſaid, That if at any time hereafter it ſhall appear, to any fifteen or more of the ſaid manufacturers of combing wool, worſted yarn, or goods made from worſted, within the ſaid county of *Suffolk*, that the ſaid committee for the time being neglect to diſcharge their duty to the ends, intents, and purpoſes for which ſuch committee was appointed; and in caſe ſuch fifteen or more of ſuch manufacturers ſo diſſatisfied ſhall in writing under their hands make complaint thereof to the juſtices of the peace for the ſaid county of *Suffolk*, in any of the general or quarterly ſeſſions of the peace, or in any adjournment thereof, for the ſaid county of *Suffolk* to be held and aſſembled, then, and in ſuch caſe, it ſhall and may be lawful to and for ſuch juſtices in ſuch ſeſſions aſſembled, and they are hereby required (if they ſhall think proper after hearing the nature of ſuch complaint) to call and appoint a general meeting of the manufacturers of combing wool, worſted yarn, and goods made from worſted, within the ſaid county of *Suffolk*, at ſuch time and place as ſuch juſtices ſhall think proper, and ſhall alſo cauſe notice to be given of ſuch general meeting of ſuch manufacturers as aforeſaid in the *Ipswich* and *Bury* weekly newspapers, ſetting forth the place where and the time when ſuch general meeting ſhall be held, the ſame not being leſs than twenty-one days after ſuch notice given in the ſaid papers, and which notice ſhall be continued in the ſaid papers until ſuch meeting ſhall be held; and it ſhall and may be lawful to and for ſuch manufacturers then preſent at ſuch general meeting called and held in manner as aforeſaid, to elect, nominate, and appoint a committee conſiſting of the ſame number of perſons, and in the like manner, and under and ſubject to the like orders, regulations, and directions, herein-before laid down and ordered for the election of the firſt committee; and the perſons ſo elected, nominated, and appointed to be a new committee in manner aforeſaid, ſhall thereupon be inveſted with the ſame powers and authorities as the former committee were inveſted with.

VIII. And, for preventing frauds and abuſes for the future by perſons employed in the ſaid manufactures of combing wool, worſted yarn, and goods made from worſted, and for the more effectual carrying this act into execution, be it further enacted, That the juſtices of the peace for the ſaid county of *Suffolk*, at their next quarter &c.

choſen in caſe of death, &c.

If committee neglect their duty,

juſtices may, on complaint thereof, call a general meeting, &c.

Juſtices to appoint inſpectors of yarn, &c.

quarter ſeſſions of the peace to be holden for the ſaid county; or any adjournment thereof, after *Michaelmas* next after the paſſing of this act, ſhall and may, and they are hereby authorized and required to liſenſe and appoint ſuch perſons of good character and repute within the ſaid county of *Suffolk*, as ſhall be recommended to the ſaid juſtices by the ſaid committee of manufacturers, or any five of ſuch committee, in writing under their hands, to be inſpectors of worſted yarn within the ſaid county of *Suffolk*.

Committee to ſtation inſpectors, and allow them ſalaries.

IX. And be it further enacted, That the ſaid committee of manufacturers for the time being, or any five of them, ſhall and may, and they are hereby authorized to ſtation ſuch inſpectors for ſuch diſtricts in the ſaid county of *Suffolk* as the ſaid committee, or any five of them, ſhall think proper, and ſhall and may aſſign, allow, and pay to the ſaid inſpectors ſo appointed ſuch yearly ſalaries as the ſaid committee, or any five of them, ſhall think proper, to be paid out of the fund herein-after mentioned to be raiſed for that and the other purpoſes of this act; and alſo ſhall and may remove, diſmiſs, and diſplace any of ſuch inſpectors, who by ſickneſs or any other accident ſhall be rendered incapable of ſerving the ſaid office, or ſhall miſbehave, or not conduct himſelf or themſelves to the ſatisfaction of ſuch committee.

Inſpectors to uſe diligence in convicting and bringing offenders to juſtice :

X. And be it further enacted, That the ſaid inſpectors for the time being ſo appointed ſhall ſeverally and reſpectively, in the ſeveral diſtricts allotted to them by the ſaid committee, uſe all due diligence and induſtry for the convicting and bringing to juſtice all offenders againſt this and the ſaid former acts, and alſo ſhall and do from time to time, and as often as they ſhall be thereto required by the ſaid committee, inſpect the ſeveral reels of all and every the ſpinners of worſted yarn in their ſeveral and reſpective diſtricts within the ſaid county of *Suffolk*, and alſo the hanks of worſted yarn, in order to ſee that the directions herein-after laid down for reeling ſuch yarn be complied with, and alſo ſhall and do from time to time, when and as they or any of them ſhall detect any perſon or perſons offending againſt this or the ſaid former acts, lodge informations againſt ſuch offender or offenders before the proper juſtice or juſtices of the peace, and proſecute ſuch offender or offenders to conviction : and for the eaſier detection of all offenders againſt this and the ſaid former acts, it ſhall and may be lawful to and for every ſuch inſpector or inſpectors from time to time, as occaſion ſhall require to demand entrance at all reaſonable hours into the dwelling-houſe or dwelling-houſes, ſhop or ſhops, outhouſe or outhouſes of any agents or perſons hired or employed to put out wool to be ſpun within the ſaid county of *Suffolk*, to inſpect the yarn in the cuſtody of any ſuch agent or perſon hired or employed as aforeſaid within the ſaid county, where he has any information of or ſuſpects any falſe or ſhort reeled yarn; and in caſe of reſuſal, by any ſuch agent or perſon hired or employed to put out wool to be ſpun into worſted yarn, to permit and

their powers.

suffer fuch inspection, he, she, or they so refusing shall forfeit and pay fuch fum of money, not exceeding ten pounds, nor less than five pounds, as fuch justice or justices, before whom he, she, or they shall be convicted shall think proper, to be recovered and applied as hereafter mentioned.

XI. And be it further enacted, That every person or persons employed or undertaking to spin or reel worsted yarn for hire in the said county of *Suffolk*, shall reel, or cause or procure the same to be reeled, either upon a yard reel of thirty-six inches, or a seven quarter reel of sixty-three inches, or a two yard reel of seventy-two inches round; and when such worsted yarn shall be so reeled, that each and every several hank or skain of such worsted yarn, which shall be reeled on a yard reel, shall consist of or contain seven raps or leas; that each and every such rap or lea shall consist of or contain eighty threads of such worsted yarn; and that each and every several hank or skain of such worsted yarn as shall be reeled on a seven quarter or a two yard reel, shall consist of or contain six raps or leas; and that each and every such rap or lea shall consist of or contain eighty threads of such worsted yarn.

Directions how worsted yarn shall be reeled.

XII. And be it further enacted by the authority aforesaid, That if any person or persons hired or employed in the combining of wool, or in the spinning, reeling, winding, or weaving of worsted yarn, or in the preparing or working up any of the materials used in the said manufactures in the said county of *Suffolk*, shall reel, or cause to be reeled, any worsted yarn contrary to the directions herein-before specified and laid down for the reeling such yarn, or shall conceal, keep back, embezzle, sell, or otherwise dispose of any wool or other materials entrusted with him, her, or them to spin, or other purposes, and shall of all or any of such several offences be lawfully convicted before any one or more justice or justices of the peace of the said county, upon the oath (or, if the owner thereof be of the people called *Quakers*, solemn affirmation) of the owner of such yarn or wool, or upon the oath or affirmation of the inspector or inspectors appointed as aforesaid, or of any one or more credible witness or witnesses (which oath or affirmation such justice or justices is and are hereby impowered and required to administer), or by the confession of the person or persons charged with all or any of such offences, such person or persons shall, for each and every such offence, be subject and liable to the same penalties and punishments as are severally inflicted by the said former acts, so far as the said former acts, or any of them, are unrepealed; all which penalties shall be recovered and punishments inflicted in the manner directed by the said acts, or any of them; and which said penalties shall be publicly distributed by the constable of such township, parish, or place where such offence or offences shall be committed, in the presence and under the direction of the said inspector or inspectors, amongst the poor of such township, parish, or place last above mentioned.

Penalties on false reeling of worsted yarn, &c.

Prosecutors
not liable to
charges of
conveying of-
fence to

XIII. Provided always, That nothing in this act contained shall extend, or be construed to extend, to the subjecting any prosecutor or prosecutors of any offender or offenders against this and the said former acts, to any charges or expences of conveying such offender or offenders to prison; but such charges and expences shall be paid and borne by the constable or other officer conveying such offender or offenders to prison; and such constable or other officer shall be reimbursed and repaid such charges and expences, in like manner as he is reimbursed and repaid any other charges or expences of his said office.

Proviso.

XIV. Provided nevertheless, That no part or share of such penalties or forfeitures be given to such offender or offenders, his, her, or their family or families.

Penalty on
agents refus-
ing to disco-
ver persons
guilty of false
reeling yarn.

XV. And be it further enacted by the authority aforesaid, That if any agents, or persons hired or employed to put out wool to be spun into worsted yarn, shall have in his, her, or their custody or possession any worsted yarn, not reeled according to the directions herein-before specified and laid down for the reeling thereof, and shall refuse, or not set forth and give in evidence, before any of his Majesty's justices of the peace for the said county of *Suffolk*, being thereto required, what person or persons was or were the reeler or reelers of such false or short reeled yarn, or who was or were hired or employed to reel the same, so that the person or persons who reeled or caused to be reeled such false or short yarn, may be lawfully convicted thereof in manner aforesaid; he, she, or they so refusing, and being thereof lawfully convicted upon the oath (or, if of the people called *Quakers*, solemn affirmation) of any person or persons, before such justice or justices of the peace, as are herein-before mentioned, shall forfeit and pay the sum of five shillings for every parcel of yarn made up as and for a pound, so false or short reeled, which shall be found in his, her, or their custody; all which penalties inflicted by this act shall be recovered, in the same manner as the penalties inflicted by the said former acts are directed to be recovered, and shall go, be paid, and applied by such person or persons, and in such manner and form, to the poor of the township, as the penalties herein-before mentioned are directed to be paid and applied.

Goods of
husbands
whole wives
offend, liable
to distress
and sale.

XVI. And forasmuch as doubts have arisen, whether the goods and chattels of a husband, whose wife shall offend against the said former acts, are liable to distress and sale for raising the penalties thereby created; be it therefore further enacted, That from and after the passing of this act, all such penalties as shall be incurred by any married woman or married women, shall and may be recovered, levied, and raised by distress and sale of the goods and chattels of the husband or husbands of such married woman or married women so offending against this act, in the manner directed by the said former acts, or any of them.

Upon the
death, &c.
of inspectors,
others to be
appointed.

XVII. Provided always, and be it further enacted, That if any person who shall be so appointed an inspector of worsted yarn, shall happen to die, or shall be removed or displaced from
his

his said office, it shall and may be lawful for the said justices of the peace of the said county of *Suffolk*, in quarter sessions assembled, or in any adjournment thereof, to license some other proper person or persons to be an inspector or inspectors of worsted yarn within the said county of *Suffolk*, upon the like recommendation and in such manner as is herein-before mentioned; which said person or persons shall be invested with all the powers, and subject to the like removal, and liable to the like penalties for any breach or neglect of duty, as the inspector or inspectors in whose place or places he or they shall be appointed to succeed, was invested with, or subject or liable to.

XVIII. And be it further enacted, That in case any inspector or inspectors so appointed as aforesaid, shall at any time or times hereafter take or receive, from any person or persons offending against this or the said former acts, any sum or sums of money, or any other thing whatsoever, to screen from justice, or otherwise to hinder or prevent such person or persons so offending as aforesaid from being convicted for such offence or offences, and being thereof convicted upon the oath (or, if of the people called *Quakers*, solemn affirmation) of two or more credible witnesses, before any one or more justice or justices of the peace of the said county of *Suffolk*, (which oath or affirmation such justice or justices is and are hereby impowered to administer), then and in such case it shall and may be lawful to and for such justice or justices of the peace to commit such inspector or inspectors so offending to the house of correction, or other publick prison in the said county, for the space of one month.

Punishment of inspectors screening offenders from justice.

XIX. And whereas by several acts of parliament made in the tenth and twelfth years of the reign of Queen Anne, and several subsequent acts, the collectors of the duties upon *sope*, by the said acts granted, are directed to pay out of the monies in their hands, by way of drawback, unto any person or persons who should employ any quantity of *sope* in the making of any manufacture, whereof the greatest part of the value of the materials should be wool, or in preparing the wool for the same, the duties upon the *sope* so spent and consumed as aforesaid; and to the end that a sufficient fund may be raised for defraying the expences in and about the obtaining this act, and for paying the salaries of the inspectors and clerk to be appointed under and by virtue and for the purposes of this act, and all other necessary expences attending the carrying this act into execution under the direction of the said committee, be it further enacted by the authority aforesaid, That it shall and may be lawful to and for all and every the collector or collectors, supervisor or supervisors, or other person or persons employed in the collection of the duties on *sope* within the said county of *Suffolk*, and who by the said acts are thereby directed to pay such drawback of the duties on *sope* to such manufacturers as aforesaid, and such collector or collectors, supervisor or supervisors, or other person or persons, are hereby required from time to time, to deduct and retain the sum of four-pence out of every shilling to which any person,

Fund to be established for defraying the expences of the execution of this act.

being a master manufacturer of combing wool, worsted yarn, or goods made from worsted, residing within the county of *Suffolk*, shall from time to time hereafter be entitled, and of which he, she, or they shall demand payment under or by virtue of the said acts, or any other act or acts of parliament whatsoever, as and for the duties of and for all scope spent, employed, and consumed in the combing of wool, making of worsted yarn, or any kind of goods made from worsted, or preparing the wool for the same, in the said county of *Suffolk*; and such collector or collectors, supervisor or supervisors, or other person or persons, and each and every of them, shall severally and respectively pay or cause to be paid unto the treasurer of the division of *Bury Saint Edmunds*, for the time being, (demand being made thereof), all and every the sum or sums of money by him or any of them so deducted, retained, had, or received, under and by virtue and for the purposes of this act.

Treasurer to pay the charges of this act out of the money to be received by him.

XX. And be it further enacted, That the said treasurer for the time being shall, out of the money hereafter to be received by him in manner aforesaid, pay the charges and expences of obtaining and passing this act, and the expences relative thereto, together with interest for all or any part of such expences, the salaries of the inspectors and clerk herein-before directed to be appointed, the expences of all prosecutions in support of this and the said former acts, and such other charges and expences as may be hereafter incurred or expended for the support and encouragement of the said manufactory, as the said committee, or any three of them in committee assembled, shall by writing under their hands direct or appoint; and the said treasurer is also hereby required not to pay any sum or sums of money so to be hereafter received by him for the purposes of this act in manner aforesaid, to any person or persons whomsoever, or for any purposes whatsoever, without such order, direction, or appointment in writing under the hands of such committee for the time being, or any three of them in committee assembled; and such treasurer shall, and he is hereby required yearly and every year, at the quarterly meeting of the said committee herein-before appointed to be held on the *Thursday* before *Michaelmas-day* in every year, for the future to return and transmit to such committee at such quarterly meeting, a true and perfect account of all and every the sum or sums of money which shall have come to his hands, or been paid by him, since the then last yearly account; which said account shall be laid before the justices of the peace for the said county of *Suffolk* at their general quarter sessions of the peace yearly to be held next after *Michaelmas*, by adjournment at *Bury Saint Edmunds*, in the said county of *Suffolk*, for their inspection and allowance.

The rate of 4d. in the pound may be increased or reduced, &c.

XXI. And it is hereby further enacted, That in case at any time hereafter the monies herein-before directed and ordered to be paid into the hands of the treasurer for the purposes aforesaid, shall, after payment of all and every the charges and expences

pences, herein-before ordered and directed to be paid thereout, amount to the ſum of fifty pounds only, then and in ſuch caſe it ſhall and may be lawful to and for the ſaid juſtices of the peace for the ſaid county of *Suffolk* at their quarter ſeſſions of the peace to be holden by adjournment at *Bury Saint Edmunds* as aforeſaid, upon application made to them by the ſaid committee, or any five of them, by writing under their hands, or upon application made to them the ſaid juſtices by fifteen or more maſter manufacturers of combing wool, worſted yarn, or goods made from worſted within the ſaid county of *Suffolk*, by writing under their hands, to make orders for increaſing the aforeſaid four-pence *per ſhilling*, which the collectors and ſupervisors of exciſe are herein-before directed to retain in their hands, to eight-pence or eleven-pence *per ſhilling* as they may think neceſſary, until ſuch fund ſhall amount to four hundred pounds, and from time to time upon like applications to reduce the ſame to three-pence or two-pence *per ſhilling*, ſo as the funds in the treaſurers hands ſhall not exceed four hundred pounds, nor be reduced to leſs than fifty pounds, and ſo as the ſame ſhall never exceed the rate, proportion, or ſum of eleven-pence *per ſhilling* herein-before directed to be deducted and retained as aforeſaid.

XXII. And be it further enacted, That the juſtice or juſtices before whom any offender ſhall be convicted as aforeſaid, ſhall cauſe the ſaid conviction to be made out in manner and form following; that is to ſay,

How juſtices to proceed on conviction of offenders.

BE it remembered, That on the *day of*
in the year of our Lord *A. B. is convicted*
before me, (or us) *of his Maſteſty's juſtices of the peace* *Form of*
for [Specifying the offence, and the place *conviction.*
 where the ſame was committed, and ſo ſpecifying that it was *the*
firſt, ſecond, or third offence againſt this act, as the caſe ſhall be.]

Given under my hand and ſeal, [or our hands and ſeals], the
day and year aforeſaid.

Which conviction the ſaid juſtice or juſtices ſhall cauſe to be fairly wrote on parchment, and returned to the next general quarter ſeſſions of the peace for the ſaid county of *Suffolk*, to be filed by the clerk of the peace, and remain and be kept among the records of ſuch county.

XXIII. And it is hereby further enacted by the authority aforeſaid, That if any perſon or perſons ſhall find him, her, or themſelves aggrieved by any order or warrant made by any juſtice or juſtices, or upon any conviction before him or them in purſuance of this act, ſuch perſon or perſons may appeal to the next general quarter ſeſſions to be held for the diviſion of the ſaid county where the offence ſhall be committed, which ſhall not be held within fourteen days next after the cauſe of appeal ſhall ariſe, giving ten days notice of ſuch appeal to the

Perſons aggrieved may appeal to the quarter ſeſſions.

person or persons discovering the offence on which the conviction was made; and if the justices at the said quarter sessions either confirm or disannul the orders or proceedings of the said justice or justices, they shall allow such costs and charges to the party aggrieved thereby as they shall think reasonable, to be levied and paid in such manner as is usual in cases of appeal from any order of the justices of the peace to the sessions, whose order therein shall be final.

Persons appealing to give security to prosecute, &c.

XXIV. Provided nevertheless, That the person or persons appealing to such quarter sessions of the peace as aforesaid, shall give security to the satisfaction of the said justice or justices to prosecute such appeal with effect, and to pay the costs which shall be ascertained by the said quarter sessions, in case such order or judgement be affirmed; and the justices in the said quarter sessions are hereby authorized to hear and determine such appeal, and to make such order therein, and to award such costs, as to them shall appear just; which order shall be final and conclusive to all parties, and shall not be removed or removeable, by any writ of *Certiorari* or otherwise, into any of his Majesty's courts of record at *Westminster* or elsewhere.

Orders to be final.

Proviso.

XXV. Provided nevertheless, and be it further enacted, That no order or other proceedings so made or had by or before any justice of the peace in relation to the premises shall be quashed or vacated for want of form only.

Limitation of actions.

XXVI. And be it further enacted by the authority aforesaid, That if any suit or action shall be commenced or prosecuted against any person or persons for any thing done or to be done in pursuance of this act, every such suit or action shall be commenced within six calendar months next after the fact committed, and not afterwards, and shall be severally laid, brought, and tried in the said county of *Suffolk*, as the case shall happen, and not elsewhere; and the defendant or defendants in such

General issue.

actions or suits shall and may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance of and by the authority of this act: and if it shall appear to be so done, or if any such suit or action shall be brought after the time before limited for bringing the same, or shall be brought in any other county or place, that then the jury shall find for the defendant or defendants; and upon such verdict, or if the plaintiff or plaintiffs shall become nonsuit, or discontinue his, her, or their action after the defendant or defendants shall have appeared, or if upon demurrer judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have for costs in other cases at law.

Treble costs.

Publick act.

XXVII. And be it further enacted, That this act shall be deemed, adjudged, and taken to be a publick act; and shall be judicially taken notice of as such, by all judges, justices, and other persons whomsoever, without specially pleading the same.

C A P. IV.

An act for incorporating the company of proprietors of a canal navigation authorized by an act, passed in the eighth year of the reign of his present majesty King George the Third, to be made from Birmingham to Bilstone and Autherley, with the company of proprietors of a canal navigation authorized by an act, passed in the twenty-third year of the reign of his present Majesty, to be made from Birmingham to Fazeley; and for consolidating their shares; and amending the said last-mentioned act.

C A P. V.

An act for enlarging the market-place, and regulating the markets within the town of Sheffield in the west riding of the county of York; and for widening and rendering more safe and commodious several streets adjoining or leading into the said market-place; and for taking down the present slaughter houses within the said town, and erecting others in a more proper situation.

C A P. VI.

An act to enable such officers, mariners, and soldiers, as have been in the land or sea service, or in the marines, or in the militia, or any corps of fencible men, since the second year of his present Majesty's reign, to exercise trades.

WHEREAS there have been and are divers officers, mariners, soldiers, and marines, who have served his present Majesty in the late wars by sea and land, some of which are men that used trades, others that were apprentices to trades, who had not served out their times, and others who by their own industry have made themselves apt and fit for trades; many of which, the wars being now ended, would willingly employ themselves in those trades which they were formerly accustomed to, or which they are apt or able to follow and make use of, for the getting their living by their own labour, but are or may be hindered from exercising those trades in certain cities and corporations, and other places within this kingdom, because of certain bye-laws and customs of those places, and of the statute made in the fifth year of Queen Elizabeth, prohibiting the use of certain trades by any person who hath not served as an apprentice to such trade for the space of seven years: for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all such officers, mariners, soldiers, and marines, who have been at any time employed in the service of his present Majesty, since the first day of April, in the year of our Lord one thousand seven hundred and sixty-three, and have not since deserted the said service; and also the wives and children of such officers, mariners, soldiers, and marines, may set up and exercise such trades as they are apt and able for, in any town or place within this kingdom, without any let, suit, or molestation of any person or persons whatsoever, for or by

Preamble.

5 Eliz. c. 4.

Officers, mariners, soldiers, and marines, who have been employed in the King's service since April 1, 1763, and have not since deserted, and also the

wives and children of such, are authorised to set up and exercise trades in any part of Great Britain; and shall not be liable to be removed from thence to their last legal place of settlement, until they become actually chargeable to the parish; and if sued, upon pleading the general issue, they shall be acquitted,

and he paid double costs of suit.

Where any two justices for the county or place where they shall so set up, shall summon them to give evidence as to the place of their last legal settlement, they shall make oath accordingly; an attested copy whereof shall

by reason of the using of such trade; nor shall such officers, mariners, soldiers, or marines, or their wives or children, during the time they shall exercise such trades, be removeable from such respective place or places, to his, her, or their last legal place of settlement, by virtue of any law now in being, relative to the settlement of the poor, until such person or persons shall become actually chargeable to such parish or place; and if any such officer or officers, mariner or mariners, soldier or soldiers, marine or marines, or the wife or child of any such officer, mariner, soldier, or marine, shall be sued, impleaded, or indicted, in any court whatsoever within this kingdom, for using or exercising any such trades as aforesaid, then the said officer or officers, mariner or mariners, soldier or soldiers, marine or marines, or any wife or child of any such officer, mariner, soldier, or marine, making it appear to the same court, where they are so sued, impleaded, or indicted, that they have served his present Majesty as aforesaid, or that he, she, or they, is or are the wife or wives, child or children, of such officer or officers, mariner or mariners, soldier or soldiers, marine or marines, who shall have so served his present Majesty, shall, upon the general issue pleaded, be found not guilty, in any plaint, bill, information, or indictment, exhibited against them; and such persons who, notwithstanding this act, shall prosecute the said suit, by bill, plaint, information, or indictment, and shall have a verdict pass against him, or become nonsuit therein, or discontinue their said suit, such person or persons shall pay unto such officer or officers, mariner or mariners, soldier or soldiers, marine or marines, or the wife or child of such officer, mariner, soldier, or marine respectively, double costs of suit, to be recovered as any other costs at common law may be recovered; and all judges and jurors, before whom any such suit, information, or indictment shall be brought, and all other persons whatsoever, are to take notice of this present act, and shall conform themselves thereto; any statute, law, ordinance, custom, or provision, to the contrary in any wise notwithstanding.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any two or more justices of the peace, for the county, town, or place, where any such officer, mariner, soldier, or marine, shall set up and exercise any trade as aforesaid, to cause such officer, mariner, soldier, or marine, to be summoned before them in the town or place where such officer, mariner, soldier or marine, shall set up and exercise such trade as aforesaid, in order to make oath of the place of his last legal settlement, (which oath the said justices are hereby impowered to administer) and such officer, mariner, soldier, or marine, are hereby directed to obey such summons, and to make oath accordingly; and such justices are hereby required to give an attested copy of such affidavit so made before them, to the person making the same, in order that he may produce it when required; which attested copy shall at any time be

be admitted as evidence as to ſuch laſt legal ſettlement, before any of his Maſteſty's juſtices of the peace, at any general or quarter ſeſſions of the peace.

III. Provided always, That in caſe any ſuch officer, mariner, ſoldier, or marine, ſhall again be ſummoned to make oath as aforeſaid, then, on ſuch atteſted copy of the oath by him formerly taken being produced by him, or by any other perſon on his behalf, ſuch officer, mariner, ſoldier, or marine, ſhall not be obliged to take any other or further oath with regard to his legal ſettlement, but ſhall leave a copy of ſuch atteſted copy of his examination, if required.

IV. And be it further enacted by the authority aforeſaid, That this act, and every part thereof, ſhall extend to all officers and ſoldiers who have been drawn by ballot, and have perſonally ſerved in the militia, or any of the ſencible regiments, from the ſaid firſt day of April, one thouſand ſeven hundred and ſixty-three, for the term of three years, and have been honourably diſcharged.

V. Provided always, That this act ſhall not in any wiſe be prejudicial to the privileges of the univerſities of Cambridge and Oxford, or either of them; or extend to give liberty to any perſon to ſet up the trade of a vintner, or to ſell any wine or other liquors, within the ſaid univerſities, without licence firſt had and obtained from the vice-chancellor of the ſame reſpectively.

begin them, which ſhall be admitted as evidence at the quarter ſeſſions; and if ſummoned again, they ſhall not be obliged to take a ſecond oath, but produce the former, or leave a copy thereof.

This act extends to militia men and ſencibles who have ſerved three years, and been honourably diſcharged. Privileges of the two univerſities reſerved.

C A P. VII.

An act for explaining certain acts of the parliament of Scotland concerning manuſactories; and for extinguishing the claims made by the proprietors of the two manuſactories, called The Rope and Soap Manuſactories of Glaſgow, to certain exemptions from cuſtoms and duties, and for making compenſation in lieu thereof.

WHEREAS by ſeveral acts of the parliament of Scotland, and, among others, by an act paſſed in the year one thouſand ſix hundred and ſixty-one, in the firſt parliament of King Charles the Second, intituled, Act for erecting of manuſactories, chapter the fortieth; by another act, paſſed in the year one thouſand ſix hundred and ſixty-nine, in the ſecond parliament of the ſaid King Charles the Second, intituled, Act concerning the exciſe and cuſtoms, chapter the eleventh; and by another act, paſſed in the year one thouſand ſix hundred and eighty-one, in the third parliament of his ſaid maſteſty King Charles the Second, intituled, Act for encouraging trade and manuſactories, chapter the twelfth; certain privileges and immunities were granted, and rules made, for encouraging and promoting manuſactories in Scotland, and particularly materials uſeful for manuſactories were allowed to be imported, for the uſe of ſuch manuſactories, free of cuſtoms and exciſe, and all other publick burdens; and, in order to prevent all queſtions and debates in relation to the ſaid privileges and immunities, the lords of his Maſteſty's exchequer and privy council in Scotland were, by certain of the ſaid acts,

Preamble.

authorized to enquire and declare what manuſactories already were, or thereafter ſhould be duly qualified to enjoy the benefit of the privileges and immunities, by the ſaid acts beſtowed: and whereas, under the encouragements held forth by the ſaid acts of parliament, two manuſactories were erected in Glaſgow, the one, in the year one thouſand ſix hundred and ſeventy-four, for making of ſoap, and the other, in the year, one thouſand ſix hundred and ninety-fix, for the making of ropes and cordage, the proprietors of each of which manuſactories did obtain from the lords of the exchequer, or privy council of Scotland, an order or act declaring their reſpective works to be duly qualified in terms of the ſtatutes in that behalf, and which manuſactories, ſo eſta bliſhed and approven, have been continually carried on ſince the reſpective times of their erection, and do now, by courſe of regular ſucceſſions and conveyances, belong to the following perſons; videlicet, The firſt-mentioned manuſactory, for making of ſoap, to ſir James Maxwell baronet, Robert Bogle, Robert Craufurd, John Maxwell, and John Craig, by way of copartnery, known by the appellation of The Soap Work Company of Glaſgow, and tranſacting buſineſs under the firm of Robert Craufurd and Company; and the other manuſactory, for making of ropes and cordage, to James Corbet, James Dunlop, George Brown, Andrew Blackburn Colville, John Crofs, Hugh Wyllie, Thomas Dunmore, Robert Dunmore junior, James Sommerville, Robert Craufurd, George Kippen, Thomas Connell, James Gemmill, John Craufurd, James Scott, and William Semple, alſo by way of copartnery, known by the appellation of The Rope Work Company of Glaſgow, and tranſacting buſineſs under the firm of James Corbet and Company: and whereas, by the ſixth article of the treaty of union, ſettled and agreed upon in the fifth year of the reign of her late majeſty Queen Anne, between the two kingdoms of England and Scotland, proviſion is made in the terms following; videlicet, “ That
“ all parts of the united kingdom, for ever, from and after the union,
“ ſhall have the ſame allowances, encouragements, and drawbacks,
“ and be under the ſame prohibitions, reſtrictions, and regulations of
“ trade, and liable to the ſame cuſtoms and duties on import and ex-
“ port; and that the allowances, encouragements, and drawbacks,
“ prohibitions, reſtrictions, and regulations of trade, and the cuſtoms
“ and duties on import and export ſettled in England when the union
“ commences, ſhall, from and after the union, take place throughout
“ the whole united kingdom, excepting and reſerving the duties upon
“ export and import of ſuch particular commodities, from which any
“ perſons, the ſubjects of either kingdom, are ſpecially liberated and
“ exempted by their private rights, which, after the union, are to
“ remain ſafe and entire to them in all reſpects as before the ſame:”
and whereas, upon the commencement of the ſaid union, doubts and diſputes did ariſe between the officers of her Majeſty's cuſtoms and the proprietors of the ſaid ſoap and rope works, who claimed the privilege of importing materials for their reſpective manuſactories, free of duties, as a private right, conſtituted by the acts of parliament and acts of exchequer and privy council before-mentioned, and as ſuch, ſaved by the exception in favour of private rights contained in the aforeſaid

aforeſaid ſixth article of the ſaid treaty of union; to which claim the officers of the revenue objected, that the exemption from duties, given by the acts of parliament, and exchequer and privy council of Scotland, was not in the nature of a private right, but of a publick encouragement to trade, and as ſuch was determined and at an end by the treaty of union; in reſpect to which diſputes, it was agreed upon, as an interim expedient, that the proprietors of the aforeſaid manuſactories ſhould grant bonds for the duties of the materials to be imported by them, with condition to pay the ſame, in caſe the parliament of Great Britain, or court of exchequer in Scotland, ſhould adjudge the ſaid materials liable to the payment of duties; which agreement of taking ſuch conditional bonds as aforeſaid was, for ſome time, carried into execution, until the commissioners of the cuſtoms at Edinburgh gave orders for levying the duties upon all ſuch materials imported for the uſe of the ſaid manuſactories as were by law chargeable with duties upon being imported for other purpoſes; whereupon the proprietors of the ſaid manuſactories paid the duties accordingly, but under proteſt, that the right of exemption claimed by them ſhould not thereby be hurt, nor themſelves precluded from reclaiming ſuch duties as already had been, or afterwards ſhould be, paid by them; and for bringing the right of exemption ſo claimed by them to trial, the proprietors of the ſaid rope work did, ſome time ſince, cauſe inſtitute an action in the court of exchequer at Edinburgh, at the ſuit of the ſaid James Corbet, one of the ſaid proprietors and aſſignee of the reſt of thoſe proprietors, againſt Edward Burrow collector of the cuſtoms at the port of Port Glaigow, and John Clerk then the deputy of the ſaid Edward Burrow, at the member port of Greenock, for that they had, againſt right, reſuſed to repay duties levied by them on certain materials imported for the uſe of the ſaid rope work; in the courſe of the proceedings of which action a ſpecial verdiſt was agreed upon and ſettled by the parties, and returned by a jury, upon which verdiſt counſel were heard by the lord chief baron, and other three barons of the ſaid court, and the judges being equally divided in their opinion, the queſtion remains hitherto undetermined; ſince the time of which hearing, certain propoſitions have been offered by the proprietors of both the ſaid works, for accommodating the matter in diſpute: and whereas the claim of exemption made by the proprietors of the ſaid manuſactories would, on the one hand, if eſtabliſhed, be very prejudicial to the publick intereſt, being capable to be exerciſed in an unlimited extent with reſpect to the commodities which are the ſubject thereof, to the great diminution of the revenue, and the breach of that equality in trade which ought to have place in all parts of the united kingdom: and whereas by means of the aforeſaid treaty of union, and the doubts and diſputes thereupon ariſing in relation to the right of exemption claimed as aforeſaid, as well as by reaſon of the proceedings conſequent upon ſuch doubts and diſputes, the proprietors of the ſaid rope and ſoap works, who, in firm reliance of the publick faith of the kingdom, had laid out and employed a conſiderable ſum of money towards carrying on the ſaid works, have, on the other hand, ſuffered conſiderable loſs and inconveniency, the exemption from the payment of duties enjoyed by them under the acts of the parliament of

Scotland,

All exemp-
tions from the
payment of
duty upon the
importation
of goods,
granted by the
parliament of
Scotland, de-
termined by
the union.

The condi-
tional bonds
before men-
tioned, grant-
ed by the pro-
prietors of the
soap and rope
works, to be
cancelled.

Sums to be
paid to the
proprietors in
consideration
of their loſs
by the deter-
mination of
the aforeſaid
exemptions.

Scotland, *having, by the aforeſaid means, been abridged or inter-
rupted, and much expence incurred by law ſuits and otherwiſe: and
whereas in a caſe ſo circumſtanced it is reaſonable and juſt that ſome
compensation ſhould be made to the ſaid proprietors for the private loſs
they have ſuffered in conſequence of the ſaid treaty of union, a trans-
action calculated for national advantages: and whereas it is at the
ſame time expedient to remove all ſuch doubts and diſputes as afore-
ſaid in future; be it therefore enacted by the King's moſt excel-
lent majeſty, by and with the advice and conſent of the lords
ſpiritual and temporal, and commons, in this preſent parlia-
ment aſſembled, and by the authority of the ſame, That all
and every the exemption or exemptions from the payment of
any cuſtom, ſubſidy, impoſt, or other duty, upon the importation
of any goods or commodities whatſoever, for the uſe of any ſort
of manufacture whatſoever, which was or were granted by the
acts of the parliament of Scotland, or the acts of the exchequer
and privy council of that kingdom, herein generally or parti-
cularly before mentioned, or any of them, ſhall, in all caſes
whatever, be deemed and taken to have been intended, not as
a private right in favour of any perſon or perſons, companies,
or bodies politick whatever, but as a publick encouragement
to trade, ſimitable by the parliament of Scotland, and deter-
mined by the treaty of union concluded between theſe king-
doms, and for the ſeveral reaſons and cauſes herein-before men-
tioned.*

II. And be it further enacted by the authority aforeſaid,
That all and every the conditional bonds before-mentioned,
which were from time to time heretofore granted by the pro-
prietors of the ſaid ſoap and rope works reſpectively, for the
duties of materials imported by them for the uſe of their re-
ſpective manufactories, ſhall and may be cancelled and given
up, free from the payment, to his Majeſty, his heirs or ſucceſ-
ſors, of the cuſtoms and duties for which the ſaid bonds were
granted; and the commiſſioners of his Majeſty's cuſtoms in that
part of Great Britain called Scotland, or any three or more of
them, are hereby authorized and required to cauſe cancel and
deliver up the ſaid bonds accordingly, when thereto required:
and the ſaid commiſſioners, or any three or more of them, are
alſo hereby impowered and required to cauſe to be paid, out of
any of the publick duties and revenues under their manage-
ment, unto the ſaid ſir James Maxwell baronet, Robert Bogle,
Robert Graufurd, John Maxwell, and John Craig, or the ſur-
vivors or ſurvivor of them, by the firm aforeſaid, for the uſe of
the proprietors of the ſaid ſoap work, in conſideration of their
loſs and damages by reaſon of the premiſes, the ſum of two
thouſand two hundred and fifty pounds lawful money of Great
Britain, and that by two yearly inſtallments of one thouſand
one hundred and twenty-five pounds each; and alſo by the like
two yearly inſtallments, to cauſe to be paid, out of the ſaid re-
venues, unto the ſaid James Corbet, James Dunlop, George Brown,
Andrew Blackburn Corvillie, John Crofs, Hugh Wyllie, Thomas
Dunmore,

Dugmore, Robert Duumore junior, James Sommersville, Robert Craufurd, George Kippen, Thomas Connell, James Gemmill, John Craufurd, James Scott, and William Semple, or the ſurvivors or ſurvivor of them, under the aforeſaid firm, for the uſe of the proprietors of the aforeſaid rope work, the like ſum of two thouſand two hundred and fifty pounds of like money, in conſideration of their loſs and damages by reaſon of the premiſes; the firſt of which payments for each company is to be made upon the twenty-fifth day of *December*, in the year one thouſand ſeven hundred and eighty-four, and the next payment upon the twenty-fifth day of *December* thereafter; and when the ſaid ſeveral ſums of two thouſand two hundred and fifty pounds, and two thouſand two hundred and fifty pounds, ſhall be thus completely ſatiſfied and paid, all claims of exemption, and other claims whatſoever in relation thereto, ſet up by the proprietors of the ſaid ſoap and rope works, or either of them, in manner aforeſaid, ſhall for ever ceaſe and be extinguished.

C A P. VIII.

An act for eſtabliſhing certain regulations concerning the portage and conveyance of letters and packets by the poſt between Great Britain and Ireland.

WHEREAS by an act, made in the twenty-fourth year of the reign of his preſent Maſteſty, intituled, An act for eſtabliſhing certain regulations concerning the portage and conveyance of letters and packets by the poſt between Great Britain and Ireland, it is enacted, That, immediately from and after the eſtabliſhment of a general poſt office in Ireland by the authority of the parliament of that kingdom, ſo much of an act made in the fourth year of the reign of his preſent Maſteſty, intituled, An act for preventing frauds and abuſes in relation to the ſending and receiving of letters and packets free from the duty of poſtage, as relates to letters and packets paſſing by the poſt, free from the duty of poſtage, from Great Britain to Ireland, and from Ireland to Great Britain, ſhall be repealed: and whereas certain perſons who, by virtue of their reſpective offices in Great Britain and Ireland, now ſend and receive letters and packets which relate to the buſineſs of their reſpective offices, free from the duty of poſtage, from Great Britain to Ireland, and from Ireland to Great Britain, will, by the ſaid recited act of the twenty-fourth year of his preſent Maſteſty's reign, upon the eſtabliſhment of a general poſt office in Ireland, be deprived from ſending and receiving letters and packets free from the duty of poſtage: and whereas the publick buſineſs makes it expedient that ſuch letters and packets ſhould paſs free of poſtage from any part of Great Britain to Ireland, and from Ireland to any part of Great Britain; be it therefore enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the eſtabliſhment of a general poſt office in Ireland, it ſhall and may be lawful to and for

Recital of
c. 6. of laſt
ſeſſion.

4 Geo. 3. c. 24.

Certain offi-
cers in Great
Britain and
for

Ireland allow-
ed to ſend and
receive letters,
&c. to and
from Great
Britain and
Ireland, free
from the Bri-
tiſh poſt office
duty:

Provided ſuch
letters are cer-
tified to be on
his Maſteſty's
ſervice, &c.

for certain perſons who, by virtue of their reſpective offices in *Great Britain* and *Ireland*, ſend and receive letters and packets, free from the duty of poſtage, under the ſaid recited act of the fourth year of his preſent Maſteſty's reign, or under any other act or acts paſſed ſince the paſſing of the ſaid act, and for his Maſteſty's poſtmaſter general of the kingdom of *Ireland*, the ſecretary of the general poſt office of *Ireland*, and the ſurveyors of the ſaid general poſt office, and for the under ſecretary and firſt clerk for the military department of the office of the chief ſecretary of the lieutenant general or other chief governor or governors of the ſaid kingdom, all for the time being, to ſend and receive, by the poſt, letters and packets from any part of *Great Britain* to *Ireland*, and from *Ireland* to any part of *Great Britain*, free from the duty of poſtage for and on account of the poſt office of *Great Britain*: provided that all ſuch letters and packets ſo ſent ſhall relate to the buſineſs of their reſpective offices, and that there ſhall be certified, on the outſide of ſuch letters and packets, under the hand writing of ſuch officers reſpectively, to be on his Maſteſty's ſervice; and that ſuch letters and packets ſhall be ſealed with the ſeal of the office or officer ſending the ſame: and in caſe any ſuch officers ſhall receive, under cover to them, any letters or packets intended for or directed to other perſons, all ſuch officers are hereby authoriſed and required to ſend the ſame to the general poſt office in *London* or *Dublin*, in order that ſuch letters and packets may be charged with the duty of poſtage; it being the true intent and meaning of this act, that the privilege of ſending and receiving letters and packets by ſuch officers ſhall extend to ſuch letters and packets only as relate to the buſineſs of their reſpective offices,

C A P. IX.

An act to authoriſe the commiſſioners of the cuſtoms in England and Scotland to cancel bonds, given for the high duties on certain parcels of corn imported into Great Britain, on certain conditions therein mentioned.

Act of 23 Geo. 3. c. 1. recited; and that certain quantities of corn and barley had been imported into Scotland after the time limited by the act. Commiſſioners of the cuſtoms to order the low duties, imposts of 5 per cent. and 5 per cent. on the ſaid duty to be taken for the before mentioned parcels of corn and barley; and upon payment thereof, the bonds for the high duties to be cancelled.

C A P. X.

An act for raiſing a certain ſum of money by way of annuities, and for eſtabliſhing a lottery.

6,000,000l. to be raiſed by annuities, and 360,000l. by a lottery. Contributors to the ſum of 6,000,000l. for every 100l. to be entitled to annuities of 100l. each at 3 per cent. 50l. at 4 per cent. redeemable by parliament, and an annuity of 5s. 6d. for 75 years and an half, from July 5, 1784, and then to ceaſe; which ſhall be charged upon a fund to be eſtabliſhed

established this session, and collaterally on the sinking fund. Every contributor of 1,000l. shall, upon payment of 60l. more, be intitled to six lottery tickets. The said annuities of 3 per cent. and 5s. 6d. shall be paid July 5, and January 5, yearly, and the 4 per cent. April 5, and October 10. Annuities tax-free. Annuities charged on the fund to be established for the payment thereof, and to be deemed personal estate. Persons possessed of stock may devise the same by will, &c. The 3 per cent. annuities granted by this act, shall be added to the 3 per cent. consols, transferable at the bank. The 4 per cent. annuities granted by this act, shall be added to the same fund as the 4 per cents. granted by the lottery acts of 20, 21, 22, and 23 Geo. 3. The annuities of 5s. 6d. per annum for 75 years and six months, to be added to the consolidated long annuities of 1, 2, 4, 20, 22, and 23 Geo. 3; but to be paid out of the fund to be established this session. 360,000l. to be raised by a lottery; the prizes whereof to be paid out of any supplies granted this session. The number of the fortunate tickets are 12,000; 2 of 20,000l. 2 of 10,000l. 2 of 5,000l. 4 of 2,000l. 10 of 1,000l. 20 of 500l. 110 of 100l. 200 of 50l. 11,650 of 20l.; 500l. to each first-drawn ticket of the first six days; 1,000l. to ditto the 13th day; 1,000l. to ditto the 16th day; 2,000l. to ditto the 19th day; 1,000l. to ditto the last-drawn. Lottery to begin drawing on Nov. 22, 1784. Forging tickets, &c. a capital felony. Offenders (not in prison) discovering persons guilty to receive a pardon, and 50l. reward. Proviso, no attainder to make corruption of blood, &c. Contributors not making good their payments within the times limited, forfeit their deposits, and the tickets for such sums to be delivered into the exchequer. The 360,000l. for the payment of the fortunate tickets, to be charged on any supplies granted this session; and shall be paid to the proprietors without any deduction, on March 1, 1785, &c. with other clauses as usual.

C A P. XI.

An act for laying additional duties upon all candles, (except wax and spermaceti candles), and for more effectually securing the duties upon candles.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, have freely and voluntarily resolved to give and grant unto your Majesty the several additional rates and duties upon candles herein-after mentioned, and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of *August*, one thousand seven hundred and eighty-four, there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, for and upon all candles, (except wax and spermaceti candles), which at any time or times shall be imported or brought into the kingdom of *Great Britain*, or made within the same, over and above all other customs, subsidies, duties of excise, or other duties already imposed thereupon, by any act or acts of parliament, the further duties herein-after mentioned; that is to say;

From Aug. 1, 1784, the following additional duties to be paid to his Majesty; videlicet,

For

For all candles imported. (except wax and ſpermaceti), one halfpenny per pound;

For all candles whatſoever, (except wax and ſpermaceti candles), which ſhall be ſo imported, one halfpenny for every pound weight avoirdupois, and after that rate for a greater or leſſer quantity; the ſaid duties for and upon all imported candles, (except wax and ſpermaceti candles), to be paid down in ready money by the importers thereof, before the landing the ſame:

and for all candles made in Great Britain, (except as above), one halfpenny per pound.

And there ſhall be raiſed, levied, collected, and paid, to and for the uſe of his Maſteſty, his heirs, and ſucceſſors, for and upon all candles, (except wax and ſpermaceti candles), which at any time or times ſhall be made within the kingdom of *Great Britain*, the further duties herein-after mentioned; that is to ſay;

For all candles whatſoever (except wax and ſpermaceti candles) which ſhall be ſo made in *Great Britain*, one halfpenny for every pound weight avoirdupois, and after that rate for a greater or leſſer quantity; the ſaid duties for the ſaid candles ſo to be made in *Great Britain*, to be paid by the makers thereof reſpectively.

New duties to be levied and recovered, &c. in the ſame manner as the former duties.

II. And it is hereby enacted by the authority aforeſaid, That the ſeveral and reſpective duties by this act impoſed for and upon all candles imported or made as aforeſaid, and all arrears thereof, ſhall and may, from time to time, be raiſed, received, levied, recovered, and ſecured, by ſuch ways and means, and under ſuch management, and under ſuch penalties and forfeitures, and with ſuch power of adjudging and mitigating penalties and forfeitures, and with ſuch other powers, and ſubject to ſuch allowances, drawbacks, rules, and directions, and in ſuch methods, manner, and form, as the like duties granted by an act of the eighth year, and by another act of the ninth year of the reign of our late ſovereign Queen *Anne*, whereby certain duties are laid upon candles, towards raiſing her ſaid late Maſteſty's ſupplies for the years one thouſand ſeven hundred and ten, and one thouſand ſeven hundred and eleven, are by thoſe acts, or by any other law or ſtatute thereby referred unto, or ſince made, to be raiſed, received, levied, ſecured, or recovered; and that the ſaid acts of the eighth and ninth years of the reign of Queen *Anne*, and all the clauses, penalties, forfeitures, powers, authorities, rules, directions, matters, and things therein contained, or thereby referred unto, or ſince enacted, for the raiſing, receiving, levying, recovering, ſecuring, paying, or accounting for the ſaid duties upon candles thereby granted, or any arrears of the ſame, are and ſhall be by force of this act continued, practiſed, and put in execution, for raiſing, receiving, levying, recovering, ſecuring, paying, and accounting for the duties upon candles by this act granted, and making allowances out of the ſame, and all arrears thereof, as fully and effectually, to all intents and purpoſes, as if they were particularly and at large recited in this preſent act.

Powers of the acts of 8 and 9 Anne, &c. to be in force in execution of this act.

All ſtock in hand on Aug 1, 1784, to be

III. And it is hereby further enacted by the authority aforeſaid, That for all candles (except wax and ſpermaceti candles) which

which any tallow-chandler or other sellers or dealers in candles ^{liable to the new duty.} in Great Britain, or any person or persons in trust for him, her, or them, or for his, her, or their use, shall be possessed of or interested in, upon the said first day of *August*, one thousand seven hundred and eighty-four, for sale, there shall be yielded and paid to his said Majesty (over and above the duties before this time imposed thereupon) the like rates as are by this act to be paid for candles to be made after the said first day of *August*, one thousand seven hundred and eighty-four; and that all the directions, powers, penalties, forfeitures, rules, and clauses whatsoever, contained in the said acts of the eighth and ninth years of the reign of Queen *Anne*, relating to the stock of candles, which was in the hands of any chandlers, or other sellers of, or dealers in candles, or of others in trust for them, or for their use, upon the first day of *May*, one thousand seven hundred and ten, or the twenty-fifth day of *March*, one thousand seven hundred and eleven, respectively, shall, by force of this act, be exercised, practised, and put in execution, for ascertaining, securing, charging, levying, recovering, and paying, the rates by this act imposed upon the stock of candles which shall be in the hands of any such persons as aforesaid, upon the said first day of *August*, one thousand seven hundred and eighty-four, and for making allowances and drawbacks in respect thereof.

IV. And whereas standing contracts may have been made before the first day of *June*, one thousand seven hundred and eighty-four, by chandlers or other dealers in candles, for serving publick offices, societies, or other persons, with candles, to be delivered at a time after the said first day of *August*, one thousand seven hundred and eighty-four, it is hereby enacted, That the persons serving such candles, after the said first day of *August*, one thousand seven hundred and eighty-four, in pursuance of such former contracts, shall be allowed to add the duties hereby charged upon such candles to the price thereof, and shall be intitled by virtue of this act to be paid for the same accordingly.

Dealers who have contracted to deliver candles after Aug. 1, 1784, may add the new duties to the price thereof.

V. Provided always, That this act shall not extend to charge the duties on candles, herein-before mentioned, on such small rush lights as shall be made by any person or persons, to be used in his, her, or their own houses only, so as such small rush lights be only once dipped in or once drawn through grease or kitchen stuff, and not at all through any tallow melted or refined; any thing herein contained to the contrary notwithstanding.

Small rush lights, made with kitchen stuff for private use, not liable to new duties.

VI. And be it further enacted by the authority aforesaid, That the duties by this act imposed upon candles imported, shall be subject and liable to the additional duties or imposts of five pounds *per centum*, and five pounds *per centum*, severally imposed by the acts respectively made in the nineteenth and twenty-second years of the reign of his present Majesty, upon the produce and amount thereof; and that such additional duties or imposts of five pounds *per centum*, and five pounds

The new duties on candles imported to be subject to the additional 5 per cents. on the produce thereof, imposed by 19 Geo. 3. c. 23 ;

per

and 22 Geo.
3. c. 66.

per centum, shall be raised, levied, collected, and paid, in the same manner, and under the same rules, and regulations, powers, and authorities, ways, means, and methods, as the said additional duties or imposts are by the said acts of the nineteenth and twenty-second years of his present Majesty's reign directed to be collected and paid.

19 Geo. 2.
c. 12.

VII. *And whereas great frauds upon the revenue are committed by the secret making of candles, without paying the duties for the same, which might, in a great measure, be prevented if the officers of excise who survey the makers of candles were authorised to enter the workhouses, and other places of such makers of candles, by night as well as by day, and to take an account of the candles there making, without waiting for the presence of a constable or peace officer, in like manner as officers are authorised to enter the workhouses of the makers of glass, by an act made in the nineteenth year of the reign of King George the second, intituled, An act for granting to his Majesty several rates and duties upon glass, and upon spirituous liquors; and for raising a certain sum of money by annuities and a lottery, to be charged on the said rates and duties; and for obviating some doubts about making out orders at the exchequer for the monies advanced upon the credit of the salt duties, granted and continued to his Majesty by an act of the last session of parliament; be it further enacted by the authority aforesaid; That all and every the officers of excise shall at all times, by day or by night, be permitted, upon his or their request, to enter into the house, melting-house, warehouse, or other place whatsoever, belonging to or used by any person or persons, who, after the said first day of August, one thousand seven hundred and eighty-four, shall be a maker or makers of any candles whatsoever, and by weighing or tale of the candles, or otherwise, as to such officer shall seem most proper and convenient, to take an account of the candles which shall have been made by such maker or makers of candles from time to time, in like manner as such officers may now do in the day-time.*

Excise officers
impowered,
after Aug. 1,
1784, to enter
the houses,
&c. of candle-
makers, and
to take an ac-
count of their
stock, by day
or by night.

Penalty on
obstructing
officers.

VIII. *And be it further enacted, That if any maker or makers of candles shall obstruct or hinder any of the said officers in the execution of the powers and authorities given to him or them by this or any other act, for the ascertaining or securing the said duties upon candles, the person or persons offending therein shall, for every such offence, forfeit and lose the sum of one hundred pounds.*

Recital of 11
Geo. 1. c. 30.

IX. *And whereas, by an act made in the eleventh year of the reign of his majesty King George the first, (intituled, An act for more effectual preventing frauds and abuses in the publick revenues; for preventing frauds in the salt duties, and for giving relief for salt used in the curing of salmon and cod-fish, in the year one thousand seven hundred and nineteen, exported from that part of Great Britain called Scotland; for enabling the insurance companies to plead the general issue in actions brought against them; and for securing the stamp duties upon policies* of

of insurance;) it was enacted, That if any chandler, or maker of candles for sale, should begin to work upon, dip, or make any course or making of candles, not being mould candles, or, in order thereto, should make any of the preparations therein mentioned, without first making and delivering, or causing to be made and delivered, to the officer or officers under whose survey such chandler or maker of candles for sale should be, such declaration in writing of his, her, or their intentions to make such course or making of candles, as in the said act is mentioned: and whereas the said exception of mould candles has been found inconvenient, and has afforded opportunities for the committing of frauds on the revenue, by the secret making of mould candles without paying the duties for the same; be it further enacted, That if, from and after the said first day of August, one thousand seven hundred and eighty-four, any chandler or maker of candles shall begin to work upon, or make any course or making of mould candles, or, in order thereto, shall make any of the preparations in the said act mentioned, without first making and delivering, or causing to be made and delivered, to the officer or officers under whose survey such chandler or maker of candles shall be, a declaration in writing of his, her, or their intention to make such course or making of mould candles, and of the particular hour or time of the day or night when such course or making is intended to be begun, and of the true number and size of the moulds he, she, or they intend to fill and draw, and also of the number of times he, she, or they intend to fill and draw the same in each making or course; every such chandler or maker of candles, on every failure or default in all or any of the particulars before mentioned, or having in or at such making or course more or larger moulds or candles than shall be mentioned in such declaration, or filling or drawing the said moulds a greater number of times than shall be mentioned in the said declaration, shall, for every such offence, forfeit and lose the sum of fifty pounds; and if, after such declaration so made as aforesaid, such making or course of candles shall not be begun and proceeded upon at the hour and time mentioned in such declaration, or in three hours next after such hour and time, then every such declaration shall be, and is hereby declared to be, null and void.

From Aug. 1,
1784, every
candlemaker
who shall
begin a course
of mould
candles, or
make preparations for the
same, without
delivering a
written declaration to the
proper officer
of such his intention, shall
forfeit 50*l*.

X. And whereas, by the statutes now in force for imposing duties upon all candles made in Great Britain, the commissioners of excise, or other persons by them respectively appointed for that purpose, are authorized to compound and agree with such persons as shall make candles, not to sell or to make any profit thereof, but to be consumed in their own private houses only, at a certain rate or payment for every head which, at any time or times during the continuance of such composition, shall be of the family of such persons respectively, as in and by the said statutes is particularly directed and required: and whereas great frauds have been, and are now frequently practised by means of such compositions, and great quantities of candles have been privately disposed of and sold by such compounders, to the manifest injury of the revenue and the fair trader; for remedy thereof, be it

From Aug. 1, 1784, commissioners of excise, &c. not to compound with any persons for making candles for private use.

All compounders shall, on or before Aug. 10, 1784, make entries of all such candles as they were possessed of on Aug. 1, on forfeiture of 50*l*. and the unentered candles; and, within six days after shall pay the duties, &c.

further enacted by the authority aforesaid, That, from and after the said first day of *August*, one thousand seven hundred and eighty-four, all the powers and authorities, to the commissioners of excise or other persons by all or any of the said acts given, to compound and agree with any person or persons for the duties on candles by any such persons made or to be made, shall cease and determine; any thing in any of the said statutes, or in either of them, to the contrary in any-wise notwithstanding.

XI. And it is hereby further enacted by the authority aforesaid, That all and every person or persons who hath or have already made composition or agreement for the duties on candles by them respectively made, or to be made, shall, on or before the tenth day of *August*, one thousand seven hundred and eighty-four, make true and particular entries of all such candles as they, or any of them, or any other person or persons in trust for them, or any of them, were possessed of, on the first day of *August*, one thousand seven hundred and eighty-four, at the office of excise, within the limits of which they shall respectively inhabit, upon pain of forfeiting the sum of fifty pounds, and also all the candles of which no such entry shall be made; and within six days after he, she, or they shall have made, or ought to have made, such entry as aforesaid, shall pay down for the said candles the several duties chargeable upon candles, or, in default thereof, shall forfeit and lose double the value of the said candles; and that the houses, out-houses, and other places belonging to such compounders, from and after the said first day of *August*, one thousand seven hundred and eighty-four, shall and are hereby made liable to the survey of the officers for the duties on candles, in the same manner, and under the same rules, and under the same fines and penalties for refusal, as persons making candles for sale are liable.

XII. And whereas it may have happened that, in pursuance of the powers by the said before recited statutes given, the officers appointed by the commissioners of excise for that purpose, may, after the first day of *May*, one thousand seven hundred and eighty-four, have made or renewed compositions, and the money payable for the same may have been received by such officers: now, to prevent all confusion, be it enacted by the authority aforesaid, That all such compositions as shall have been so made, renewed, or agreed to be made, after the first day of *May*, one thousand seven hundred and eighty-four, shall be, and are hereby declared null and void; and all such sums of money as shall have been received by the said officers, from the persons so making or renewing their compositions as aforesaid, shall, and the same are hereby directed and required to be returned to the person and persons respectively who shall have paid the same; any thing in the said former acts to the contrary in any-wise notwithstanding.

XIII. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, in relation to the said duties upon candles, shall be sued for, levied, and recovered, or mitigated, by such ways, means, and methods, as any fine, penalty,

All compositions made, &c. after May 1, 1784, shall, be void, and the money returned to the compounders.

Penalties and forfeitures how to be recovered and applied.

penalty, or forfeiture, is or may be recovered or mitigated by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland*, respectively; and that one moiety of every such fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall discover, inform, or sue for the same.

XIV. And be it further enacted by the authority aforesaid, That all the monies arising by the said additional duties by this act imposed upon candles (the necessary charges of raising and accounting for the same excepted) shall, from time to time, be paid into the receipt of his Majesty's exchequer at *Westminster*, separate and apart from all other duties; and the said money so paid into the said receipt of exchequer as aforesaid, shall be a fund for the payment of the several annuities, and all such other charges and expences, as are directed to be paid and payable pursuant to an act of this present session of parliament, (intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery*). Duties to be paid into the exchequer.
How to be applied.

XV. And be it further enacted by the authority aforesaid, That if any action, suit, or prosecution, shall be brought or commenced against any person or persons for any thing done in pursuance of this act, such action, suit, or prosecution, shall be brought or commenced within three months next after the thing done, and shall be laid in the proper county; and the defendant or defendants may plead the general issue, and give this act and the special matter in evidence, at any trial to be had thereupon; and if a verdict pass for the defendant or defendants, or the plaintiff or plaintiffs become nonsuited, or discontinue his, her, or their action, suit, or prosecution, or judgement be given against such plaintiff or plaintiffs, then such defendant or defendants shall have treble costs awarded to him, her, or them, against such plaintiff or plaintiffs. Limitation of actions.
General issue.
Treble costs.

C A P. XII.

An act to enable the governor and company of the bank of Scotland further to encrease the capital stock of the said company.

WHEREAS by an act of the parliament of Scotland, made in the year one thousand six hundred and ninety-five, intituled, *An act for erecting a bank in Scotland, a joint stock, amounting to the sum of twelve hundred thousand pounds Scots money was allowed to be raised by the company thereby established for carrying on and managing a publick bank; and certain persons therein mentioned were authorised to appoint a book for receiving the subscriptions of such persons as were willing to become adventurers in the said joint stock: and by the said act it was declared, That one thousand pounds Scots should be the lowest, and twenty thousand pounds Scots the highest sum which any person should be allowed to subscribe: and by the said* Preamble.
Recital of an act of the Scottish parliament.

and it was also declared, That all and every the persons subscribing and paying to the said stock as aforesaid, should be one body politick and corporate, by the name of The Governor and Company of the Bank of Scotland; under which name they should have perpetual succession, and should have a common seal: and by the said act it was directed, That, within three months after the aforesaid subscription should be ended, the persons in the said act named, or any two of them, should appoint a certain day, and make due intimation of the same, that such and so many of the adventurers, and none other, as should each of them have subscribed for one thousand pounds or upwards in the said book of the joint stock, might elect and chuse, by a majority of votes, which were to be given, one vote for every one thousand pounds share of the stock, a fit person of the subscribers who had subscribed for himself at least for eight thousand pounds, to be governor of the said bank; and another fit person of the subscribers, who should have subscribed for himself at least for six thousand pounds, to be deputy governor of the said bank; and also twenty-four other fit persons, who should have subscribed each of them for himself at least for three thousand pounds in the said joint stock, to be directors of the said bank: and certain other rules and regulations were thereby prescribed, for the better managing and ordering the affairs of the said bank; and, in pursuance of the aforesaid act, the said bank was soon after established, and has ever since continued: and whereas, by an act of the parliament of Great Britain, passed in the fourteenth year of his present Majesty's reign, intituled, An act to enable the governor and company of the bank of Scotland to encrease the capital stock of the said company, it was enacted, That within one month after the passing of the said act, or as soon after as might be, the court of ordinary directors of the said bank should appoint a book to be opened and kept at the office of the said bank of Scotland, for receiving subscriptions for an additional capital or joint stock, to the extent of twelve hundred thousand pounds Scots, or one hundred thousand pounds sterling money, and no more; in which book every person or persons possessed of a share or shares of the original capital stock of the said bank of Scotland should be entitled to subscribe for as much of the said new or additional stock as he, she, or they should be possessed of, of the old or original stock at the time of his, her, or their subscribing, and no more, or for a lesser number of shares thereof, if such person or persons should so think proper: and by the said act it was further declared, That no proprietor should hold more than twenty shares of the old stock, or more than forty shares of the old and new together: and it was also by the said act further declared, That after the additional capital should be completed, no proprietor should be elected governor, unless he had, upon the original and new stock together, paid in the sum of fifteen thousand pounds Scots; nor deputy governor, unless he had, upon the original and new stock together, paid in twelve thousand pounds Scots; nor director, unless he had, upon the original and new stock together, paid in six thousand pounds Scots; and that from and after the said period, no proprietor should be intitled to give his vote in the election of a governor, deputy governor, or director, or in any question in any general meeting, who

was

Act 14 Geo.
3. c. 32. re-
cited.

was not possessed of two thousand pounds Scots of old or new stock, or old and new stock together, and who had not actually paid in the said two thousand pounds; and that every proprietor should have a vote for each two thousand pounds which he had actually paid in: provided always, That no proprietor should ever be intitled to more than twenty votes: and certain other rules and regulations were by the said act prescribed, for the better managing and ordering the affairs of the said bank: and whereas it would greatly tend to the advancement of commerce, and be otherways highly beneficial and expedient, That the capital stock of the said bank should be still further increased, so as not to exceed in the whole the sum of three million six hundred thousand pounds Scots money, or three hundred thousand pounds sterling: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by the authority of the same, That within one month after the passing of this act, or as soon after as may be, the court of ordinary directors of the said bank shall appoint a book to be opened and kept at the office of the said bank of Scotland, for receiving subscriptions for an additional capital or joint stock, to the extent of twelve hundred thousand pounds Scots, or one hundred thousand pounds sterling money, and no more; in which book every person or persons possessed of two or more shares of the present capital stock of the said bank of Scotland, shall be intitled to subscribe for a proportional part of the said new or additional stock, corresponding to the shares so possessed by such person or persons at the time of his, her, or their subscribing, and no more; that is to say, That each proprietor holding two shares of the present capital stock, shall be intitled to subscribe for one share of the new additional stock, and no more; and so on, in proportion.

A subscription to be opened for raising an additional capital of 100,000l. sterling, by the present proprietors.

II. *And, in order that no person or persons possessed of stock in the said bank of Scotland may be deprived of the benefit hereby intended them; be it enacted by the authority aforesaid, That it shall be in the power of every proprietor of the present capital stock of the said company, by a writing under his, her, or their hands, to authorise any other person he, she, or they shall think proper, to subscribe for him, her, or them; and the subscription of the person so authorised shall be equally effectual as if the proprietor who gives such authority had subscribed, with his, her, or their hands.*

Proprietors may subscribe by proxy.

III. *And be it further enacted, That the privilege and preference of subscribing to the new or additional stock hereby given to the proprietors of the present capital stock of the said bank, shall be limited to three months from the time of opening the subscription book above mentioned; and after the expiration of the said term, in case any share or shares of the said new or additional stock shall not have been subscribed for, the said subscription book shall be shut, and a general meeting of the proprietors called, upon such notice as a court of ordinary*

Time limited for subscription.

How ſhares
unſubſcribed
for are to be
diſpoſed of.

directors ſhall think fit; at which meeting the ſhare or ſhares not ſubſcribed for, ſhall be ſold to the higheſt bidder, provided ſuch bidder be a proprietor of the preſent capital ſtock of the ſaid bank, or be authorized and impowered to purchaſe for a perſon who is a proprietor of the ſaid capital ſtock, by a writing under his, her, or their hands.

Gain on ſales
to be applied
to the uſe of
the bank.

IV. And be it further enacted, That in caſe any premium or gain be received upon or by the ſaid ſale or ſales, the ſame ſhall be applied for the benefit of the governor and company of the bank of *Scotland*.

If the ſhares
are not all
diſpoſed of, a
ſubſcription
to be again
opened.

V. And be it further enacted, That if any ſhare or ſhares of the new ſtock ſhall not be ſold at the ſaid general meeting of proprietors, then, and in that caſe, the ſubſcription book ſhall be immediately again opened; and it ſhall be in the power of any perſon to ſubſcribe for ſuch a number of ſhares as he ſhall chooſe.

General
meeting of
proprietors
may call for
new ſtock to
be ſubſcribed
for.

VI. And be it further enacted, That it ſhall and may be lawful to the majority of a general meeting of the ſaid proprietors to call for the whole or any part of the new or additional ſtock to be ſubſcribed for, in manner above directed, at ſuch times and in ſuch proportions as they ſhall think proper: provided always, That no ſubſcriber ſhall be called upon to pay up more than his juſt proportion of one hundred thouſand pounds ſterling, the amount of the new ſtock correſponding to the number of ſhares ſubſcribed for by him; but it ſhall not be in the power of any ſubſcriber to pay up either the whole or any part of the new additional ſtock, until the ſame ſhall be called for by a majority of a general meeting of proprietors.

No proprietor
of new ſtock
to draw a di-
vidend till his
call is paid in.

VII. And be it further enacted, That no ſubſcriber of new ſtock ſhall be entitled to draw any part of a dividend either upon his old or new ſtock, until he has paid his proportion of any call of ſtock that has been ordered by a majority of a general meeting of proprietors; and each ſubſcriber of new ſtock failing to pay his proportion of ſuch call, ſhall be charged with the legal intereſt upon it until the ſame be paid, and ſhall have no vote at elections or general meetings while the ſame remains unpaid.

Court of ſeſ-
ſion to iſſue
letters of
horning
againſt per-
ſons failing to
pay in their
calls.

VIII. And it is hereby enacted, That a certificate under the hand of the accountant of the ſaid bank, certifying that a call or calls have not been paid by any of the perſons who have ſubſcribed themſelves to the ſaid new ſtock, or by any of the perſons for whom any other perſon impowered as aforeſaid has ſubſcribed to the ſaid ſtock, ſhall, when produced with this act to the court of ſeſſion, be a ſufficient warrant to the ſaid court for iſſuing letters of horning againſt ſuch perſon or perſons for the call or calls unpaid by them at the inſtance or ſuit of the treaſurer of the ſaid bank.

Qualification
of governor;
&c.

IX. And be it further enacted, That, after the new additional ſtock has been completely paid in, no proprietor ſhall be elected governor, unleſs he be poſſeſſed of twenty-four thouſand pounds *ſcots*; nor deputy governor, unleſs he be poſſeſſed of eighteen

eighteen thouſand pounds *Scots*; nor director, unleſs he be poſſeſſed of nine thouſand pounds *Scots* of the ſtock of the ſaid governor and company of the bank of *Scotland*.

X. And be it further enacted, That after the ſaid new additional ſtock has been completed in the manner above directed, Qualification of voters, ~~the~~ proprietor ſhall be entitled to give his vote in the election of a governor, deputy governor, or directors, or in any queſtion in any general meeting, who is not poſſeſſed of three thouſand pounds *Scots* of ſtock, and who has not actually paid in the ſaid three thouſand pounds *Scots*; and that every proprietor ſhall have a vote for each three thouſand pounds *Scots* which he has actually paid in: provided always, That no proprietor ſhall ever be intitled to more than twenty votes.

XI. And whereas that part of the aforeſaid act of the parliament of *Scotland* which declared, That twenty thouſand pounds *Scots* ſhould be the higheſt ſum which any one perſon ſhould be allowed to ſubſcribe; and that part of the aforeſaid other act of the fourteenth of his preſent Maſteſty which provided, That no proprietor ſhould hold more than twenty ſhares of the old ſtock, or more than forty ſhares of the old and new together, have been found by experience to be productive of no good conſequence, but on the contrary, to be attended with great inconvenience; be it therefore further enacted, That thoſe parts of the ſaid two before mentioned acts be, and the ſame are hereby repealed; and that, in time to come, any perſon or perſons may hold, in his, her, or their name, ſuch a number of ſhares of ſtock as he, ſhe, or they, may chooſe to hold or acquire: provided always, as above mentioned, That no proprietor ſhall ever be intitled to more than twenty votes, either in the annual election of governor, deputy governor, and directors, or in any queſtion whatever that may occur or be made the ſubject of diſcuſſion at any general meeting of proprietors. Reſtriction in the former acts repealed.

XII. And it is hereby provided and declared, That the ſaid act of the parliament of *Scotland* in the year ſixteen hundred and ninety-five, excepting ſo far as the ſame is altered by the ſaid other act of the fourteenth of his preſent Maſteſty; and alſo the ſaid act of the fourteenth of his preſent Maſteſty, ſhall remain in full force in all points, excepting in ſo far as the ſame is altered by this act. Former acts confirmed, except where altered by this act.

XIII. And, laſtly, be it enacted by the authority aforeſaid, That this act ſhall be deemed a publick act; and ſhall be judicially taken notice of by all judges, juſtices, and others whatſoever, without ſpecially pleading the ſame. Publick act;

C A P. XIII.

An act for appointing and enabling commiſſioners further to examine, take, and ſtate the publick accounts of the kingdom.

Acts of 30 Geo. 3. c. 54; 31 Geo. 3. c. 45; 22 Geo. 3. c. 50; and 23 Geo. 3. c. 69; recited. Thomas Anguſh eſquire, Arthur Piggott eſquire, Richard Neave eſquire, Samuel Beachcroft eſquire, George Drummond eſquire, and William Roe eſquire, commiſſioners appointed to examine and

and ſtate the publick accounts of the kingdom. The recited acts to continue in force, from and after July 12, 1784. No commiſſioner to hold a civil office of profit during pleaſure under his Maſteſty. Any three of the commiſſioners to be ſworn before the chancellor of the exchequer, &c. as in former acts. The ſaid three commiſſioners to adminiſter the oath to the reſt. Lords of the treaſury may pay 2,000l. to the order of the commiſſioners. To be employed for the payment of clerks, other officers and in defraying all other charges in execution of the powers in the act, to be appointed by three commiſſioners and accounted for at the exchequer, and to be tax free. Executors of the accountants to attend commiſſioners, and execute their orders. Continuance of this act for one year from July 22, 1784, and no longer.

C A P. XIV.

An act to enable the commiſſioners of his Maſteſty's treaſury to compound a debt due to the crown from Francis Dixon eſq; deceased, and his ſureties; and for veſting his eſtates in truſtees; and for other purpoſes therein mentioned.

C A P. XV.

An act for the better relief and employment of the poor belonging to ſeveral pariſhes within the town of Shrewſbury and the liberties thereof, in the county of Salop.

C A P. XVI.

An act to diſcontinue the petty cuſtom on aliens goods imported into Great Britain, and the duty of one per centum on goods exported to or imported from the Mediterranean Seas in unqualified ſhips; and for repealing ſo much of an act paſſed in the fourth year of the reign of his preſent Maſteſty as enacts, that no part of the old ſubſidy ſhall be drawn back upon goods exported to the Britiſh colonies or plantations in America.

Preamble.

WHEREAS ſeveral duties and reſtrictions, impoſed by various acts of parliament upon merchandize, are by the alteration of the trade now carried on between this kingdom and foreign ſtates; in ſome caſes become an unneceſſary burthen upon commerce, without producing any real advantage to the publick revenue; and it is expedient that they ſhould not be any longer continued; may it therefore pleaſe your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the twentieth day of Auguſt, one thouſand ſeven hundred and eighty-four, the duty commonly called *The Petty Cuſtom*, impoſed by an act made in the twelfth year of the reign of king Charles the Second, intituled, *A ſubſidy granted to the King of tonnage and poundage, and other ſums of money payable upon merchandize exported and imported, or by the rules thereto annexed, and all other additional duties impoſed by any act of parliament, upon the goods of aliens or ſtrangers born, over and above the duties payable by natural-born ſubjects, except as herein-after is provided, ſhall ceaſe, determine,* and

From Aug. 20, 1784, the petty cuſtom duty on aliens goods to ceaſe.

and be no longer paid or payable; any law, custom, or usage, to the contrary notwithstanding.

II. Provided always, and it is hereby further enacted, That this act shall not extend, or be construed to extend, to repeal or anywise alter the duties due and payable by any act of parliament upon goods imported into, or exported from, this kingdom, in any foreign ship or vessel, nor to the duties of package and scavage, or any duties granted by charter to the mayor and commonalty and citizens of the city of London.

To what duties this act shall not extend.

III. And, the better to prevent the said mayor and commonalty and citizens from being fraudulently injured, be it enacted by the authority aforesaid, That every merchant, or other, passing any goods, wares, or merchandizes, inwards or outwards, shall by himself, or his known servant, factor, or agent, subscribe one or more bill or bills of entry, whether such goods are on alien, or *British* account, and, if required, make oath of the same before the officer appointed to receive the said duties, (who is authorized, by the charter granted to the said mayor and commonalty and citizens, to administer the same;) and no entry on alien account shall be permitted by the officer of the customs to pass, or the goods to be delivered, unless the signature or mark of the city's collector, or his deputy, appears on the face of such warrant; and if any goods entered on *British* account, which are (*bona fide*) aliens property, the merchant or others entering the same shall forfeit and pay the sum of fifty pounds, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, in the name of the officer or collector appointed to receive the said dues in behalf of the said mayor and commonalty and citizens; and the damages so to be recovered shall be paid into the chamber of London, for the use of the said mayor and commonalty and citizens.

Regulations relative to the export and import of merchandize.

No goods to be entered on *British* account which are aliens property, on penalty of sol.

IV. And it is hereby further enacted by the authority aforesaid, That from and after the said twentieth day of *August*, one thousand seven hundred and eighty-four, no part of the duties, commonly called *The Impost one thousand seven hundred and seventy-nine*, and *The Impost one thousand seven hundred and eighty-two*, imposed by two acts of parliament made in the nineteenth and twenty-second years of his Majesty's reign, for granting additional duties upon the produce of the several duties under the management of the respective commissioners of the customs and excise in *Great Britain*, so far as the same hath been, or shall be paid or payable upon the aliens duty, chargeable for any goods imported into this kingdom, in any ship or vessel, shall be repaid, or drawn back, upon the exportation of such goods, any thing in the said recited act, or any other act, to the contrary notwithstanding.

From Aug. 20, 1784, no part of the impost 1779, nor of the impost 1782, payable upon aliens duty, shall be drawn back on exportation.

V. And it is hereby further enacted by the authority aforesaid, That from and after the said twentieth day of *August*, one thousand seven hundred and eighty-four, the duty of one per centum, commonly called *The Mediterranean Duty*, which, by

From Aug. 20, 1784, the *Mediterranean duty*, granted by 13 and 14 Car. 2, cap. 11, shall cease.

an act made in the thirteenth and fourteenth years of the reign of king *Charles the Second*, intituled, *An act for preventing frauds, and regulating abuses, in his Majesty's customs*, was granted upon goods exported from this kingdom, to any port or place of the *Mediterranean Sea*, beyond the port of *Malaga*, or imported from thence, to any port of this kingdom, in any ship or vessel which is not qualified as by the said act is prescribed, and directed, shall cease, determine, and be no longer paid or payable.

From Aug.
20, 1784, part
of 4 Geo. 3. c.
15. repealed.

VI. And it is hereby further enacted by the authority aforesaid, That from and after the said twentieth day of *August*, one thousand seven hundred and eighty-four, so much of an act of parliament made in the fourth year of his present Majesty, intituled, *An act for granting certain duties in the British colonies and plantations in America*; for continuing, amending, and making perpetual, an act passed in the sixth year of the reign of his late majesty King *George the Second*, (intituled, *An act for the better securing and encouraging the trade of his Majesty's sugar colonies in America*;) for applying the produce of such duties, and of the duties to arise by virtue of the said act, towards defraying the expences of defending, protecting, and securing, the said colonies and plantations; for explaining an act made in the twenty-fifth year of the reign of King *Charles the Second*, (intituled, *An act for the encouragement of the Greenland and Eastland trades and for the better securing the plantation trade*;) and for altering and disallowing several drawbacks on exports from this kingdom, and more effectually preventing the clandestine conveyance of goods to and from the said colonies and plantations, and improving and securing the trade between the same and Great Britain; as enacts, That no part of the rate or duty, commonly called *The Old Subsidy*, shall be repaid or drawn back for any goods of the growth, production, or manufacture of *Europe*, or the *East Indies*, which shall be exported from this kingdom, to any British colony or plantation in *America*, (wines, white callicoes, and muslins, only excepted,) shall be, and the same is hereby repealed and made void.

C A P. XVII.

An act for amending and rendering more effectual an act of the twenty-eighth year of the reign of his late Majesty, intituled, *An act for the better relief and employment of the poor of the borough of Dunheved, otherwise Launceston, and parish of Saint Mary Magdalen, in the county of Cornwall*; and for vesting the aftermowth of certain common lands within the borough in trustees, for the purposes therein mentioned.

C A P. XVIII.

An act for laying additional duties upon paper, pasteboards, millboards, and scaleboards; and for explaining certain doubts respecting the duties imposed by an act made in the twenty-first year of his present Majesty's reign, intituled, *An act for repealing the present duties upon paper, pasteboards, millboards, and scaleboards, made in Great Britain*; and for granting other duties in lieu thereof.

Most

Most Gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, **Preamble.** to, and raising the necessary supplies to defray your Majesty's publick expences, have freely and voluntarily resolved to give and grant unto your Majesty the several additional rates and duties upon paper, pasteboard, millboard, and scaleboard, herein-after mentioned; and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, for and upon all paper, pasteboard, millboard, and scaleboard, which from and after the tenth day of *August*, one thousand seven hundred and eighty-four, shall be made in *Great Britain*, over and above all former duties of excise, or other duties already imposed thereupon, by any act of parliament; the further rates and duties herein-after particularly mentioned and described, and classed in the several tables annexed to this act; (that is to say,) From Aug. 10. 1784, the following additional duties shall be paid for all paper, pasteboard, millboard, and scaleboard, made in Great Britain; videlicet,

For every ream of paper made in *Great Britain* for writing, called *Imperial*, of the value of two pounds, eleven shillings Imperial writing paper, 3s. per ream; per ream, and upwards, and not exceeding the dimensions of twenty-two inches by thirty inches and a quarter, three shillings:

For every ream of paper made in *Great Britain* for writing, called *Super Royal*, of the value of one pound, eighteen shillings Super royal ditto, 2s. 3d. per ream; per ream, and upwards, and not exceeding the dimensions of nineteen inches and a quarter by twenty-seven inches and an half, the sum of two shillings and three-pence:

For every ream of paper made in *Great Britain* for writing, called *Royal*, of the value of one pound, nine shillings Royal ditto, 1s. 9d. per ream; per ream, and upwards, and not exceeding the dimensions of nineteen inches and a quarter by twenty-four inches, one shilling and nine-pence:

For every ream of paper made in *Great Britain* for writing, called *Medium*, of the value of one pound, two shillings, and sixpence Medium ditto, 1s. 6d. per ream; per ream, and upwards, and not exceeding the dimensions of seventeen inches and an half by twenty-two inches and an half, one shilling and sixpence:

For every ream of paper made in *Great Britain* for writing, called *Demy*, of the value of sixteen shillings Demy writing paper, 1s. per ream; per ream, and upwards, and not exceeding the dimensions of fifteen inches and an half by twenty inches, one shilling:

For every ream of paper made in *Great Britain* for writing, called *Thick Post*, of the value of thirteen shillings Thick post ditto. 9d. per ream; per ream, and

and upwards, and not exceeding the dimensions of fifteen inches and a quarter by nineteen inches and an half, nine-pence :

Thin post ditto, 7 d. per ream; For every ream of paper made in *Great Britain* for writing, called *Thin Post*, of the value of ten shillings *per ream*, and upwards, and not exceeding the dimensions of fifteen inches and a quarter by nineteen inches and an half, seven-pence :

Small post ditto, 6 d. per ream; For every ream of paper made in *Great Britain* for writing, called *Small Post*, of the value of seven shillings and sixpence *per ream*, and upwards, and not exceeding the dimensions of thirteen inches and an half by sixteen inches and an half, six-pence :

Fools cap ditto, 6 d. per ream; For every ream of paper made in *Great Britain* for writing, called *Fools Cap*, of the value of nine shillings *per ream*, and upwards, and not exceeding the dimensions of thirteen inches and an half by sixteen inches and three quarters, sixpence :

Pott ditto, 4 d. per ream; For every ream of paper made in *Great Britain* for writing, called *Pott*, of the value of six shillings *per ream*, and upwards, and not exceeding the dimensions of twelve inches and an half by fifteen inches and an half, four-pence :

Double atlas, for writing, or copper-plate printing, 10 s. per ream; For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Double Atlas*, of the value of fifteen pounds *per ream*, and upwards, and not exceeding the dimensions of fifty-five inches by thirty-one inches and an half, ten shillings :

Demy, for ditto, 7 d. per ream; For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Demy*, of the value of twelve shillings *per ream*, and upwards, and not exceeding the dimensions of fifteen inches and an half by twenty inches, seven-pence :

Copy, for writing, or copper-plate printing, 4 d. per ream; For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Copy* or *Bastard*, of the value of seven shillings and sixpence *per ream*, and upwards, and not exceeding the dimensions of sixteen inches by twenty inches and a quarter, four-pence :

Fools cap, for ditto, 3 d. per ream; For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Fools Cap*, of the value of six shillings *per ream*, and upwards, and not exceeding the dimensions of thirteen inches and an half by sixteen inches and three quarters, three-pence :

Littris fools cap, for ditto, 3 d. per ream; For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Littris Fools Cap*, of the value of six shillings *per ream*, and upwards, and not exceeding the dimensions of thirteen inches and an half by seventeen inches and an half, three-pence :

Pott, for ditto, 2 d. per ream; For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Pott*, of the value of four shillings *per ream*, and upwards, and not exceeding the dimensions of twelve inches and an half by fifteen inches and an half, two-pence :

For every ream of paper made in *Great Britain* for writing,
or

or copper-plate printing, called *Grand Eagle* or *Double Elephant*, of the value of four pounds *per* ream, and upwards, and not exceeding the dimensions of twenty-six inches and three quarters by forty inches, four shillings: Grand eagle, ditto, 4 s. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Colombier*, of the value of two pounds and ten shillings *per* ream, and upwards, and not exceeding the dimensions of twenty-three inches and an half by thirty-four inches and an half, three shillings and sixpence: Colombier, for ditto, 3 s. 6 d. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Atlas*, of the value of three pounds *per* ream, and upwards, and not exceeding the dimensions of twenty-six inches and a quarter by thirty-four inches, five shillings: Atlas, for ditto, (worth 3 l.) 5 s. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Atlas*, of the value of two pounds *per* ream, and upwards, and not exceeding the dimensions of twenty-six inches and a quarter by thirty-four inches, two shillings and sixpence: Atlas, for writing or copper-plate printing, (worth 2 l.) 2 s. 6 d. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Small Atlas*, of the value of one pound and ten shillings *per* ream, and upwards, and not exceeding the dimensions of twenty-five inches by thirty-one inches, two shillings and sixpence: Small atlas, for ditto, 2 s. 6 d. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Imperial*, of the value of one pound and ten shillings *per* ream, and upwards, and not exceeding the dimensions of twenty-two inches by thirty inches and a quarter, one shilling and nine-pence: Imperial, for ditto, 1 s. 9 d. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Super Royal*, of the value of one pound and five shillings *per* ream; and upwards, and not exceeding the dimensions of nineteen inches and a quarter by twenty-seven inches and a half, one shilling and sixpence: Super royal, for ditto, 1 s. 6 d. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Long Royal*, of the value of one pound *per* ream, and upwards, and not exceeding the dimensions of twenty-seven inches and an half by eighteen inches, one shilling: Long royal, for ditto, 1 s. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Royal*, of the value of eighteen shillings *per* ream, and upwards, and not exceeding the dimensions of nineteen inches and a quarter by twenty-four inches, one shilling: Royal, for ditto, 1 s. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Demy*, of the value of thirteen shillings *per* ream, and upwards, and not exceeding the dimensions of seventeen inches by twenty-two inches, seven-pence: Demy, for ditto, 7 d. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Short Demy* or *Crown*, of the value of nine shillings *per* ream, and upwards, and not exceeding Short demy, for writing, or copper-plate printing, 5 d. per ream;

ing the dimensions of fourteen inches by twenty inches and a quarter, or of fifteen inches by twenty inches, five-pence :

Large fan, for ditto, 1s. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Large Fan*, of the value of fourteen shillings *per* ream, and upwards, and not exceeding the dimensions of twenty-three inches and an half by twenty inches and an half, one shilling :

Small fan, for ditto, 9d. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Small Fan*, of the value of eleven shillings *per* ream, and upwards, and not exceeding the dimensions of twenty-two inches and a quarter by thirteen inches and a quarter, nine-pence :

Elephant, for ditto, 9d. per ream;

For every ream of paper made in *Great Britain* for writing, or copper-plate printing, called *Elephant*, of the value of fifteen shillings *per* ream, and upwards, and not exceeding the dimensions of twenty-three inches by twenty-eight inches, nine-pence :

Paper for bank notes, &c. 1s. per ream;

For every ream of paper made in *Great Britain* for bank of bankers bills or notes, allowing two bills or notes in each sheet, one shilling; and so in proportion for a greater or lesser number of bills or notes in each sheet :

Printing double demy, 1s. 9d. per bundle;

For every bundle of paper made in *Great Britain* for printing, called *Double Demy*, of the value of one pound and eighteen shillings *per* bundle, and upwards, and not exceeding the dimensions of twenty-six inches by thirty-eight inches and an half, one shilling and nine-pence :

Printing royal, 1s. 2d. per bundle;

For every bundle of paper made in *Great Britain* for printing, called *Royal*, of the value of one pound and four shillings *per* bundle, and upwards, and not exceeding the dimensions of nineteen inches and an half by twenty-four inches and a quarter, or of twenty inches by twenty-six inches, one shilling and two-pence :

Printing royal inferior, 8d. per bundle;

For every bundle of paper made in *Great Britain* for printing, called *Royal Inferior*, of the value of fourteen shillings *per* bundle, and upwards, and not exceeding the dimensions of nineteen inches and an half by twenty-four inches and a quarter, eight-pence :

Printing medium, 1s. 1d. per bundle;

For every bundle of paper made in *Great Britain* for printing, called *Medium*, of the value of one pound *per* bundle, and upwards, and not exceeding the dimensions of eighteen inches by twenty-three inches, eleven-pence :

Printing demy single, 10d. per bundle;

For every bundle of paper made in *Great Britain* for printing, called *Demy Single*, of the value of seventeen shillings *per* bundle, and upwards, and not exceeding the dimensions of seventeen inches and an half by twenty-two inches, or of nineteen inches and a quarter by twenty-one inches and a quarter, ten-pence :

Printing demy inferior, 6d. per bundle;

For every bundle of paper made in *Great Britain* for printing, called *Demy Inferior*, of the value of ten shillings *per* bundle, and upwards, and not exceeding the dimensions of seventeen inches and an half by twenty-two inches, six-pence :

For

For every bundle of paper made in *Great Britain* for printing, called *Double Crown*, of the value of seventeen shillings per bundle, and upwards, and not exceeding the dimensions of twenty inches by thirty inches, eight-pence. Printing double crown, 8d. per bundle;

For every bundle of paper made in *Great Britain* for printing, called *Double Crown Inferior*, of the value of twelve shillings per bundle, and upwards, and not exceeding the dimensions of twenty inches by thirty inches, seven-pence. Double crown inferior, 7d. per bundle;

For every bundle of paper made in *Great Britain* for printing, called *Single Crown*, of the value of thirteen shillings per bundle, and upwards, and not exceeding the dimensions of fifteen inches by twenty inches, eight-pence. Printing single crown, 8d. per bundle;

For every bundle of paper made in *Great Britain* for printing, called *Single Crown Inferior*, of the value of eight shillings per bundle, and upwards, and not exceeding the dimensions of fifteen inches by twenty inches, five-pence. Single crown inferior, 5d. per bundle;

For every bundle of paper made in *Great Britain* for printing, called *Demy Tissue*, of the value of eight shillings per bundle, and upwards, and not exceeding the dimensions of seventeen inches and an half by twenty-two inches, five-pence. Printing demy tissue, 5d. per bundle;

For every bundle of paper made in *Great Britain* for printing, called *Crown Tissue*, of the value of five shillings per bundle, and upwards, and not exceeding the dimensions of fifteen inches by twenty inches, three-pence. Crown tissue, 3d. per bundle;

For every bundle of paper made in *Great Britain* for printing, called *Double Pott*, of the value of nine shillings per bundle, and upwards, and not exceeding the dimensions of seventeen inches by twenty-five inches and an half, sixpence. Printing double pott, 6d. per bundle;

For every ream of paper made in *Great Britain* called *Cartridge*, not exceeding the dimensions of twenty-one inches by twenty-six inches, seven-pence. Cartridge, 7d. per ream;

For every ream of paper made in *Great Britain*, called *Square Cartridge*, not exceeding the dimensions of twenty-four inches and an half by twenty-five inches and an half, eight-pence. Square cartridge, 8d. per ream;

For every ream of paper made in *Great Britain*, called *Cartridge*, not exceeding the dimensions of nineteen inches and a quarter by twenty-four inches, sixpence. Small cartridge, 6d. per ream;

For every ream of paper made in *Great Britain*, called *Elephant Common*, not exceeding the dimensions of twenty-three inches by twenty-eight inches, five-pence. Elephant common, 5d. per ream;

For every ream of paper made in *Great Britain*, called *Sugar Blue*, not exceeding the dimensions of twenty-one inches and an half by thirty-three inches, eight-pence. Sugar blue, 8d. per ream;

For every ream of paper made in *Great Britain*, called *Sugar Blue Smaller Size*, not exceeding the dimensions of eighteen inches and three quarters by twenty-seven inches, sixpence. Sugar blue, smaller size, 6d. per ream;

For every ream of paper made in *Great Britain*, called *Sugar Blue Demy Size*, not exceeding the dimensions of seventeen inches and an half by twenty-two inches, five-pence. Ditto, demy size, 5d. per ream;

For every ream of paper made in *Great Britain*, called *Sugar Blue* Ditto, crown size, 5d. per ream;

Blue Crown Size, not exceeding the dimensions of fifteen inches by twenty inches, five-pence :

Purple royal, For every ream of paper made in *Great Britain*, called *Purple*
4d. per ream; *Royal*, not exceeding the dimensions of nineteen inches and an half by twenty-four inches and a quarter, four-pence :

Blue elephant, For every ream of paper made in *Great Britain*, called *Blue*
6d. per ream; *Elephant*, not exceeding the dimensions of twenty-three inches by twenty-eight inches, sixpence :

Blue royal, For every bundle of paper made in *Great Britain*, called
8d. per bundle; *Blue Royal*, not exceeding the dimensions of nineteen inches and an half by twenty-four inches and a quarter, eight-pence :

Blue demy blossom, 6d. per bundle; For every bundle of paper made in *Great Britain*, called *Blue*
per bundle; *Demy and Blossom*, not exceeding the dimensions of seventeen inches by twenty-two inches, sixpence :

Blue crown single, 3d. per bundle; For every bundle of paper made in *Great Britain*, called *Blue*
per bundle; *Crown Single*, not exceeding the dimensions of fifteen inches by twenty inches, three pence :

Royal hand thick, 4d. per ream; For every ream of whited brown paper made in *Great Bri-*
ream; *tain*, called *Royal Hand Thick*, not exceeding the dimensions of twenty-four inches by nineteen inches and a quarter, four-pence :

Royal hand, 4d. per bundle; For every bundle of whited brown paper made in *Great Bri-*
4d. per bundle; *tain*, called *Royal Hand*, not exceeding the dimensions of twenty-four inches by nineteen inches and a quarter, four-pence :

Lumber hand, 4d. per bundle; For every bundle of whited brown paper made in *Great Bri-*
4d. per bundle; *tain*, called *Lumber Hand*, not exceeding the dimensions of twenty-three inches by eighteen inches, four-pence :

Double two pounds, 3d. per bundle; For every bundle of whited brown paper made in *Great Bri-*
per bundle; *tain*, called *Double Two Pound*, not exceeding the dimensions of twenty-four inches by sixteen inches, three-pence :

Single two pound, 1d. per bundle; For every bundle of whited brown paper made in *Great Bri-*
per bundle; *tain* called *Single Two Pound*, not exceeding the dimensions, of sixteen inches by eleven inches, one-penny :

Middle hand double, 6d. per bundle; For every bundle of whited brown paper made in *Great Bri-*
per bundle; *tain*, called *Middle Hand Double*, not exceeding the dimensions of thirty-three inches by twenty-one inches, sixpence :

Middle hand, 3d. per bundle; For every bundle of whited brown paper made in *Great Bri-*
3d. per bundle; *tain*, called *Middle Hand*, not exceeding the dimensions of twenty-two inches by sixteen inches, three-pence :

Small hand, double, 4d. per bundle; For every bundle of whited brown paper made in *Great Bri-*
per bundle; *tain*, called *Small Hand Double*, not exceeding the dimensions of thirty-two inches by twenty inches, four-pence :

Small hand, 2d. per bundle; For every bundle of whited brown paper made in *Great Bri-*
2d. per bundle; *tain*, called *Small Hand*, not exceeding the dimensions of nineteen inches and three quarters by sixteen inches, two-pence :

Couples pound and half pound, 1d. per bundle; For every bundle of whited brown paper made in *Great Bri-*
pound and half pound, 1d. per bundle; *tain*, called *Couples Pound and Half Pound*, not exceeding the dimensions of twelve inches by ten inches, and of nine inches by seven inches and an half, one-penny :

For every ream of brown paper made in *Great Britain*, called *Imperial Cap*, not exceeding the dimensions of twenty-nine inches by twenty-two inches, four-pence: Imperial cap, 4d. per ream;

For every ream of brown paper made in *Great Britain*, called *Havon Cap*, not exceeding the dimensions of twenty-four inches by twenty inches, three-pence: 3d. per ream;

For every ream of brown paper made in *Great Britain*, called *Bag Cap*, not exceeding the dimensions of twenty-three inches and an half by nineteen inches, two-pence: Bag cap, 2d. per ream;

For every ream of brown paper made in *Great Britain*, called *Kentish Cap*, not exceeding the dimensions of twenty-one inches by eighteen inches, two-pence: Kentish cap, 2d. per ream;

For every ream of brown paper made in *Great Britain*, called *Four Pounds*, not exceeding the dimensions of twenty inches by sixteen inches, two-pence: Four pounds, 2d. per ream.

For every ream of brown paper made in *Great Britain*, called *Small Cap*, not exceeding the dimensions of twenty inches by fifteen inches, one penny: Small cap, 1d. per ream;

For every ream of brown paper made in *Great Britain*, called *Double Four Pounds*, not exceeding the dimensions of thirty-three inches by twenty inches, four-pence: Double four pounds, 4d. per ream;

For every bundle of brown paper made in *Great Britain*, called *Single Two Pounds*, not exceeding the dimensions of sixteen inches by eleven inches, two-pence: Single Two pounds, 2d. per bundle;

For every bundle of brown paper made in *Great Britain*, called *Couples Pound and Half Pound*, not exceeding the dimensions of twelve inches by ten inches, and of nine inches by seven inches and an half, one penny: Couples pound and half pound, 1d. per bundle;

For every hundred weight of pasteboard, millboard, scaleboard, and glazed paper, made in *Great Britain* for clothiers and hot-pressers, one shilling and sixpence; and after those rates for any greater or less quantity of such papers, pasteboards, millboards and scaleboards, respectively: Pasteboard, millboard, &c. 1s. 6d. per hundred weight.

Which said several rates and duties upon the said several sorts of paper, and other the commodities last-mentioned, to be made in *Great Britain*, shall be truly paid by the makers thereof respectively, according to the dimensions, denominations; and value, in the several tables annexed, and herein-before severally described and expressed. Duties to be paid by the makers.

II. And whereas by the said act, made in the twenty-first year of his present Majesty's reign, (intituled, An act for repealing the present duties upon paper, pasteboards, millboards, and scaleboards, made in *Great Britain*, and for granting other duties in lieu thereof,) several rates and duties are imposed upon the several sorts of paper made in *Great Britain*, according to the dimensions, denominations, and values, expressed in the said act, and the several tables thereto annexed; and it is also enacted and declared, That the values of such paper made in *Great Britain*, as is to pay duty ad valorem, should, in all cases, be taken to be so much as such paper should be worth, to be sold so soon as the same is perfectly made, from time to time

The duty to
included be
in the values
of the paper
expressed
therein.

The powers
for levying
and recover-
ing the duties
of the recited
act 21 Geo. 3.
extended to
this act.

New duties to
be liable to the
additional im-
posts of five per
cent. on the
amount there-
of, imposed
by the acts 19
Geo. 3. c. 25.
21 Geo. 3.
c. 17, and
22 Geo. 3.
c. 66.

time at London, without respect to the duty to be charged thereupon: and whereas doubts have arisen, whether such values shall be taken to be so much as such paper should be worth inclusive of the duty payable for the same, or exclusive thereof: now, for removing such doubts, be it further enacted and declared by the authority aforesaid, That the values of such paper made in Great Britain, expressed in the said act, and in the several tables thereto annexed, and also the values of such paper made in Great Britain as is to pay duty *ad valorem*, shall, in all cases be taken to be so much as such paper shall be worth, to be sold so soon as the same is perfectly made, from time to time, inclusive of the duty to be charged thereupon by the said act, and by this act.

III. And be it further enacted by the authority aforesaid, That the several and respective duties by this act imposed upon all paper, pasteboard, millboard, and scaleboard, made in Great Britain, shall, from time to time, be raised, received, levied, recovered, and secured, by such ways and means, and under such management, and under such penalties and forfeitures, and with such power of adjudging and mitigating penalties and forfeitures, and with such other powers, and subject to such allowances, drawbacks, rules, and directions, and in such methods, manner, and form, as the like duties granted by an act of the twenty-first year of his present Majesty's reign, intituled, *An act for repealing the present duties upon paper, pasteboards, millboards, and scaleboards, made in Great Britain, and for granting other duties in lieu thereof*, are by that act to be raised, received, levied, recovered, or secured; and that the said act, and all the clauses, penalties, forfeitures, powers, authorities, rules, directions, matters, and things, therein contained, for the raising, receiving, levying, recovering, securing, paying, or accounting for the said duties thereby granted, are and shall be by force of this act continued, practised, and put in execution, for raising, receiving, levying, recovering, securing, paying, and accounting for the duties upon paper, pasteboard, millboard, and scaleboard, by this act granted, and making allowances out of the same, as fully and effectually, to all intents and purposes, as if they were particularly and at large repeated in this present act.

IV. And be it further enacted by the authority aforesaid, That the said several and respective rates and duties herein-before granted on paper, pasteboard, millboard, and scaleboard, made in Great Britain, shall be subject and liable to the additional duties or imposts of five pounds *per centum*, five pounds *per centum*, and five pounds *per centum*, severally imposed by the acts respectively made in the nineteenth, twenty-first, and twenty-second years of the reign of his present Majesty, upon the produce and amount thereof; and that such additional duties or imposts of five pounds *per centum*, five pounds *per centum*, and five pounds *per centum*, shall be raised, levied, collected, and paid in the same manner, and under the same rules, regulations, powers, and authorities, ways, and means, penalties

and

and forfeitures, as the said additional duties or imposts are by the said acts of the nineteenth, twenty-first, and twenty-second years of his present Majesty's reign directed to be collected and paid.

V. And whereas in and by the said act it is provided, That nothing in the said act contained shall extend to hinder any maker of paper from sending such paper from the mill where made to any other mill, to be sized or finished fit for use, provided leave for that purpose be first obtained in writing from the commissioners of excise for the time being, and that notice thereof shall have been given to the officer of excise twenty-four hours at the least, in order that such officer may attend and take an account thereof: and whereas the obtaining such leave in writing from the commissioners of excise is unnecessary, and twenty-four hours notice to the officer of excise is insufficient; now, for remedy thereof, be it enacted by the authority aforesaid, That nothing in the said act contained shall extend to hinder any maker of paper from sending such paper from the mill where made to any other mill to be sized or finished fit for use, provided notice thereof shall have been given to the officer of excise forty-eight hours at the least, in order that such officer may attend and take an account thereof, and provided such paper be removed with a proper certificate from an officer of excise, expressing the quality and quantity; and when such paper shall have been so removed to the mill or place where the same is to be sized or made fit for use, the same shall be under the like directions as to marking and stamping, and all other matters and things, as if such paper had been finished and sized at the mill where made; and such paper-maker shall, for the breach of any of the directions aforesaid, be subject to the like penalties as he would have been subject to if the said paper had not been removed.

Recital of part of 21 Geo. 3. c. 24. relative to sending paper to be sized, &c.

Forty eight hours notice to be given to the proper officer, &c.

VI. And it is hereby further enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, for and upon the several sorts of paper herein-after enumerated, which shall, from and after the said tenth day of August, one thousand seven hundred and eighty-four, be imported or brought into this kingdom from foreign parts, over and above all customs, subsidies, and duties, already imposed thereon, the several and respective duties herein-after mentioned; that is to say,

Additional duties upon paper imported after Aug. 10, 1784, vizt. &c.

For every ream of paper called <i>Atlas</i> , ten shillings:	Atlas, 10s.
For every ream of paper called <i>Blue</i> , eight-pence:	per ream;
For every ream of paper called <i>Brown</i> and <i>Brown Cap</i> , or <i>Whited Brown</i> , four-pence:	Blue, 8d.
For every ream of paper called <i>Cartridge</i> , eight-pence:	Brown, &c. 4d.
For every ream of paper called <i>Demy</i> , one shilling and nine-pence:	Cartridge, 8d.
For every ream of paper called <i>Elephant</i> , four shillings:	Demy, 1s. 9d.
For every ream of paper called <i>Imperial</i> , ten shillings:	Elephant, 4s.
	Imperial, 10s.

Medium, 1s.
6d.

For every ream of paper called *Medium*, one ſhilling and ſixpence:

Poſt, 1s.

For every ream of paper called *Poſt*, one ſhilling:

Royal, 4s.

For every ream of paper called *Royal*, four ſhillings:

Ordinary pa-
per, 6d.

For every ream of ordinary paper, (not included under either of the foregoing heads,) ſixpence:

Paſteboard,
millboard, &c.
1s. 6d. per
hundred
weight.

For every hundred weight avoirdupois, of paſteboard, millboard, and ſcaleboard; and for every hundred weight of glazed paper for clothiers and hotpreſſers, one ſhilling and ſixpence; and in the like proportion for any greater or leſs quantity:

Duties to be
liable to the
additional five
percents im-
poſed by 19
Geo. 3. c.
25. and 22
Geo. 3. c. 66.

And the ſaid duties ſhall alſo be ſubject and liable to an additional impoſt or duty of five pounds *per centum*, and five pounds *per centum* thereon, which were impoſed by two ſeveral acts of parliament made in the nineteenth and twenty-second years of his Maſteſty's reign, for granting to his Maſteſty additional duties upon the produce of the ſeveral duties under the management of the reſpective commiſſioners of the cuſtoms and exciſe in *Great Britain*.

Import duties
to be under
the direction
of the com-
miſſioners of
the cuſtoms,
and to be paid
in ready
money, &c.

VII. And it is hereby further enacted by the authority aforeſaid, That the ſaid duties herein-before granted upon the importation of ſuch foreign paper, ſhall be under the management and direction of the commiſſioners of his Maſteſty's cuſtoms in *England* and *Scotland* reſpectively, and ſhall be paid down in ready money without any diſcount or deduction whatſoever, and ſhall not be drawn back upon the exportation of the ſame goods; and the ſaid duties ſhall be raiſed, levied, collected, recovered, and paid, in the manner and form, and under ſuch reſtrictions, penalties, and forfeitures, and by ſuch rules, ways, and methods, as the former duties for ſuch paper are reſpectively raiſed, levied, collected, recovered, and paid, (except where any alteration is made by this act,) as fully, to all intents and purpoſes, as if the ſeveral clauſes, powers, directions, penalties, and forfeitures, in any act or acts of parliament relating thereto, were particularly repeated and again enacted in the body of this preſent act.

Perſons ſerv-
ing publick
offices, &c.
with paper in
virtue of con-
tracts prece-
ding July 1,
1784, may
after Aug. 10,
add the new
duties to the
price thereof.

VIII. And whereas ſtanding contracts may have been made before the firſt day of July, one thouſand ſeven hundred and eighty-four, by makers of or dealers in paper, for ſerving publick offices, ſocieties, or other perſons, with paper, to be delivered, in point of time, after the ſaid tenth day of Auguſt, one thouſand ſeven hundred and eighty-four; it is hereby enacted, That the perſons ſerving ſuch paper after the ſaid tenth day of Auguſt, one thouſand ſeven hundred and eighty-four, in purſuance of ſuch former contracts, ſhall be allowed to add the duties hereby charged upon ſuch paper to the price thereof, and ſhall be intitled by virtue of this act to be paid for the ſame accordingly.

IX. And be it further enacted by the authority aforeſaid; That all the monies ariſing by the ſaid additional duties by this

this act impoſed upon paper, paſteboard, millboard, and ſcale-board, (the neceſſary charges of raiſing and accounting for the ſame excepted,) ſhall, from time to time, be paid into the receipt of his Maſteſty's exchequer at *Weſtminſter*, ſeparate and apart from other duties; and the ſaid money ſo paid into the ſaid receipt of exchequer as aforeſaid, ſhall be a fund for the payment of the ſeveral annuities, and all ſuch other charges and expences as are directed to be paid and payable purſuant to an act of this preſent ſeſſion of parliament, intituled, *An act for raiſing a certain ſum of money by way of annuities, and for eſtabliſhing a lottery.*

Monies ariſing by the duties to be paid into the exchequer.

Application thereof.

TABLES mentioned and referred to by this act.

FIRST TABLE. DENOMINATION.	Value per Ream, and upwards.			Not exceeding the Dimensions of		Additional Duty per Ream.	
	£.	s.	d.	Inches	Inches	s.	d.
WRITING.							
Imperial	2	11	0	22	by 30 $\frac{1}{4}$	3	0
Super Royal	1	18	0	19 $\frac{1}{4}$	27 $\frac{1}{2}$	2	3
Royal	1	9	0	19 $\frac{1}{4}$	24 $\frac{1}{2}$	1	9
Medium	1	2	6	17 $\frac{1}{2}$	22 $\frac{1}{2}$	1	6
Demy	0	16	0	15 $\frac{1}{2}$	20	1	0
Thick Poſt	0	13	0	15 $\frac{1}{4}$	19 $\frac{1}{2}$	0	9
Thin Poſt	0	10	0	15 $\frac{1}{4}$	19 $\frac{1}{2}$	0	7
Small Poſt	0	7	6	13 $\frac{1}{2}$	16 $\frac{1}{2}$	0	0
Fools Cap	0	9	0	13 $\frac{1}{2}$	16 $\frac{1}{2}$	0	6
Pott	0	6	0	12 $\frac{1}{2}$	15 $\frac{1}{2}$	0	4

SECOND TABLE.

DENOMINATION.

Value per Ream,
and
upwards.Not exceeding
the
Dimensions ofAdditional
Duty per
Ream.WRITING OF COPPER-PLATE
PRINTING.

	£.	s.	d.
Double Atlas	15	0	0
Demy	0	12	0
Copy, or Bastard	0	7	6
Fools Cap	0	6	0
Littris Fools Cap	0	6	0
Pott	0	4	0
Grand Eagle, or Double Elephant	4	0	0
Colombier	2	10	0
Atlas	3	0	0
Ditto	2	0	0
Small Atlas	1	10	0
Imperial	1	10	0
Super Royal	1	5	0
Long Royal	1	0	0
Royal	0	18	0
Demy	0	13	0

Short Demy, or Crowns

Large Fan

Small Fan

Elephant

Paper for Bank or Bankers Bills
or Notes, allowing Two Bills
or Notes, in each Sheet, and
so in Proportion for any
greater or lesser Number of
Bills or Notes in each Sheet,

Inches Inches

55	by 31 $\frac{1}{2}$
15 $\frac{1}{2}$	20 $\frac{1}{2}$
16	20 $\frac{1}{2}$
13 $\frac{1}{2}$	16 $\frac{1}{2}$
13 $\frac{1}{2}$	17 $\frac{1}{2}$
12 $\frac{1}{2}$	15 $\frac{1}{2}$
26 $\frac{1}{2}$	40
23 $\frac{1}{2}$	34 $\frac{1}{2}$
26 $\frac{1}{2}$	34
26 $\frac{1}{2}$	34
25	31
22	30 $\frac{1}{2}$
19 $\frac{1}{2}$	27 $\frac{1}{2}$
27 $\frac{1}{2}$	18
19 $\frac{1}{4}$	24
17	22
14	20 $\frac{1}{2}$
15	20
23 $\frac{1}{2}$	20 $\frac{1}{2}$
22 $\frac{1}{4}$	13 $\frac{1}{2}$
23	28

or
15 20
23 $\frac{1}{2}$ 20 $\frac{1}{2}$
22 $\frac{1}{4}$ 13 $\frac{1}{2}$
23 28

s. d.

10	0
0	7
0	4
0	3
0	3
0	2
4	0
3	6
5	0
2	6
2	6
1	9
1	6
1	0
0	7
0	5
1	0
0	9
0	9

1 0

THIRD TABLE.

PRINTING.

per Ream.

per Bundle.

Double Demy	1	18	0
Royal	1	4	0
Royal inferior	0	14	0
Medium	1	0	0
Demy Single	0	17	0
Demy inferior	0	10	0
Double Crown	0	17	0
Double Crown inferior	0	12	0
Single Crown	0	13	0
Single Crown inferior	0	8	0
Demy Tissue	0	8	0
Crown Tissue	0	5	0
Double Pott	0	9	0

26 by 38 $\frac{1}{2}$

19 $\frac{1}{2}$ 24 $\frac{1}{4}$
or
20 26

19 $\frac{1}{2}$ 24 $\frac{1}{4}$
18 23

17 $\frac{1}{2}$ 22
or
19 $\frac{1}{2}$ 21 $\frac{1}{2}$

17 $\frac{1}{2}$ 22

20 30

20 30

15 20

15 20

17 $\frac{1}{2}$ 22

15 20

17 25 $\frac{1}{2}$

1 9

1 2

0 8

0 11

0 10

0 6

0 8

0 7

0 8

0 5

0 5

0 3

0 6

FOURTH TABLE.					Not exceeding the Dimensions of		Additional Duty per Ream.	
DENOMINATION.								
ORDINARY and COLOURED.					Inches	Inches	s.	d.
Cartridge	—	—	—	—	21	by 26	0	7
Cartridge Square	—	—	—	—	24 $\frac{1}{2}$	25 $\frac{1}{2}$	0	8
Cartridge	—	—	—	—	19 $\frac{1}{2}$	24	0	6
Elephant common	—	—	—	—	23	28	0	5
Sugar Blue	—	—	—	—	21 $\frac{1}{2}$	33	0	8
Sugar Blue, ſmaller Size	—	—	—	—	18 $\frac{1}{2}$	27	0	6
Sugar Blue, Demy Size	—	—	—	—	17 $\frac{1}{2}$	22	0	5
Sugar Blue Crown Size	—	—	—	—	15	20	0	5
Purple Royal	—	—	—	—	19 $\frac{1}{2}$	24 $\frac{1}{2}$	0	4
Blue Elephant	—	—	—	—	23	28	0	6
Blue Royal	—	—	—	—	19 $\frac{1}{2}$	24 $\frac{1}{2}$	0	8
Blue Demy and Bloſſom	—	—	—	—	17	22	0	6
Blue Crown Single	—	—	—	—	15	20	0	3
							per Bundle.	
							0	8
							0	6
							0	3
							per Ream.	
							0	4
							per Bundle.	
							0	4
							0	4
							0	3
							0	1
							0	6
							0	3
							0	4
							0	2
							0	1
							per Ream.	
							0	4
							0	3
							0	2
							0	2
							0	1
							0	4
							per Bundle.	
							0	2
							0	1
							per Hundred Weight	
							1	6

C A P. XIX.

An act to revive and continue an act made in the twelfth year of the reign of his present Majesty, for encouraging the manufacture of leather, by lowering the duty payable upon the importation of oak bark, when the price of such bark shall exceed a certain rate, for a limited time; and for extending several acts of parliament relative to the manufacture of leather, to that part of Great Britain called Scotland.

Preamble.

32 Geo. 3. c. 1.
50. revived,

WHEREAS the law herein-after mentioned hath by experience been found useful and beneficial, and is expired; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords (spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That an act made in the twelfth year of the reign of his present Majesty, (intituled, *An act for encouraging the manufacture of leather, by lowering the duty payable upon the importation of oak bark, when the price of such bark shall exceed a certain rate, for a limited time*), which was to continue in force for five years, and from thence to the end of the then next session of parliament; which act was by another act made in the seventeenth year of the reign of his present Majesty, continued for the further term of five years, and from thence to the end of the then next session of parliament; shall be revived, and the same is hereby revived, and shall continue and be in force for the further term of five years, and from thence to the end of the then next session of parliament.

and continued
for five years.

Recital of
9 Anne, c. 11.

3 Jac. 1. c. 22.

II. And whereas by an act of parliament made in the ninth year of the reign of her late majesty Queen Anne, (intituled, *An act for laying certain duties upon hides and skins, tanned, tawed, or dressed, and upon vellum and parchment, for the term of thirty-two years, for prosecuting the war, and other her Majesty's most necessary occasions*); which said act hath, by another act made in the third year of the reign of his late majesty King George the First, been made perpetual to his Majesty, his heirs and successors for ever, but subject to redemption by parliament; it is by the first-mentioned act, among other things, recited, That in the first year of the reign of King James the First, of happy memory, a good and wholesome statute was made concerning tanners, shoemakers, curriers, and other artificers in leather, wherein ample provision was made for the true and well tanning, currying, and working of leather, and for and concerning the buying and selling of leather, red and unwrought, in open fairs and markets, and for such other matters and things, relating to leather, as in the said statutes are plainly and largely expressed, the due execution whereof hath been and is of great importance to the publick good and service of this realm, and will very much contribute to the ascertaining and collection of the duties by this act intended to be granted; and it is thereby enacted, That all mayors, bailiffs, and other head officers for the time being, in the several cities, boroughs, and market towns of this realm,

realm, and the reſpective lords of liberties, fairs, and markets, and the maſters and wardens of the ſeveral companies in the ſaid act expreſſed, and all tanners, curriers, ſhoemakers, and other artiſicers, and all and every other perſon and perſons whatſoever, who are or ought to be concerned in the execution of the ſaid ſtatute, or give obedience thereunto, ſhall (under ſuch pains, penalties, and forfeitures, as are therein ſeverally expreſſed) duly execute, obſerve, and comply with the ſame ſtatute, and all the claules, matters, and things therein contained, in relation to the tanning, dreſſing, making, buying, ſelling, trying, ſealing, regiſtering, or other matters concerning leather, other than ſuch as have been altered by any law or ſtatute ſince that time made and now in force: and whereas doubts have been made whether the before recited claule, and ſo much of the ſaid act of King James the Firſt as is therein mentioned and re-enacted, does extend to that part of the united kingdom of Great Britain called Scotland, and by means whereof the duties upon leather in that part of the ſaid united kingdom are greatly leſſened and impaired, by reaſon of perſons who uſe the art or myſtery of tanning of leather, at the ſame time exerciſing the craft or myſtery of ſhoemakers, curriers, or other cutters of leather, contrary to the true intent and meaning of the before mentioned and in part recited act of King James the Firſt: therefore, for the putting an end to ſuch doubts for the future, and for the better and more effectually ſecuring the duties due and payable to his Maſteſty upon all hides and ſkins tanned and dreſſed in that part of the ſaid united kingdom, be it declared and enacted by the authority aforeſaid, That ſo much of the ſaid act of the firſt year of the reign of King James the Firſt as is recited and re-enacted in the before mentioned act of the ninth year of the reign of Queen Anne, does, and always did extend to all and every part of the ſaid united kingdom; and that no perſon or perſons uſing or exerciſing the myſtery or trade of tanning of leather, by himſelf, or by any other perſon or perſons whatſoever, ſhall, during the time that he ſhall ſo uſe the ſaid myſtery or trade of a tanner, occupy, exerciſe, or uſe the craft or myſtery of a ſhoemaker, currier, butcher, or of any other artiſicer uſing or exerciſing the cutting or working of leather, upon pain to forfeit and loſe all and every ſuch hide and hides, ſkin and ſkins, ſo by them, or any of them, wrought or tanned during the time that he ſhall uſe or exerciſe the myſtery, trade, or craft of tanning, or the juſt value thereof, and the further ſum of fifty pounds of lawful money of Great Britain; and that ſo much of the aforeſaid act of the firſt year of the reign of King James the Firſt as is recited and re-enacted in the before mentioned act of the ninth year of the reign of her late maſteſty Queen Anne, ſhall be conſtrued and taken to be, and is hereby declared to enure and extend to all and every part of the ſaid united kingdom of Great Britain, in as full and ample manner, form, and effect, to all intents and purpoſes, (except ſuch part thereof as has been altered by any law or ſtatute ſince that time made and now in force), as if the ſaid act of the firſt year of the reign of King James the Firſt, and every claule, matter, and

Such part of
1 Jac. 1. c. 22.
as is recited in
9 Annæ, c. 11.
declared to
extend to
every part of
Great Britain,

and thing therein contained, was or were herein again particularly repeated and re-enacted; and that all provosts, baillies, and all other chief officers of burghs, and baillies of royalties, and other head officers for the time being in the several cities, burghs, and market-towns in that part of the said united kingdom of *Great Britain* called *Scotland*, and all tanners, curriers, shoemakers, and other artificers, and all and every other person and persons whatsoever, who are or ought to be concerned in the execution of the said statute, or give obedience thereunto, shall, under such pains, penalties, and forfeitures, as are therein severally expressed, duly execute, observe, and comply with the said statute, and all the clauses, matters, and things therein contained, in relation to the tanning, dressing, making, buying, selling, trying, sealing, registering, or other matters concerning leather, (other than such as have been altered by any law or statute since that time made and now in force), as fully and effectually, and with the same powers and authorities, to all intents and purposes, as if the said provosts, baillies, and other officers last before mentioned, and every of them, had been particularly named and described in the said act of the first year of the reign of his majesty King *James* the First, herein-before recited.

C A P. XX.

An act for altering and amending an act of the thirteenth year of the reign of his present Majesty, intituled, An act for appointing wardens and assay masters, for assaying wrought plate in the towns of Sheffield and Birmingham; so far as relates to the said town of Sheffield.

Preamble.

Recital of 13
Geo. 3. c. 52.

WHEREAS an act of parliament was made in the thirteenth year of the reign of his present Majesty, intituled, An act for appointing wardens and assay masters, for assaying wrought plate in the towns of Sheffield and Birmingham; whereby the assayer of wrought plate, appointed or to be appointed in pursuance thereof, within the said town of Sheffield, is authorised and empowered to demand and take, of and from every person who should bring to the assay office belonging to the company of guardians incorporated by the said act for the said town of Sheffield, any piece or parcel of wrought plate, to be assayed, tried, and marked, such prices, sums of money, or rewards, as the assayer shall think fit, not exceeding the sum of one shilling for every pound troy, and so proportionably for every greater or less quantity of plate assayed and marked: and whereas the said prices, sums of money, or rewards, allowed to be taken as aforesaid, are inadequate to the trouble attending the assaying and marking of small pieces of plate, and insufficient to defray the necessary expences of the assay office established in the said town of Sheffield; and it is necessary that greater prices, sums of money, or rewards, should be allowed to be taken for assaying and marking small pieces of plate: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty,

majeſty, by and with the advice and conſent of the lords ſpiri-
tual and temporal, and commons, in this preſent parliament
aſſembled, and by the authority of the ſame, That it ſhall be
lawful for the aſſayer of wrought plate appointed or to be ap-
pointed by virtue of the ſaid act, within the ſaid town of *Shef-*
field, to aſk, demand, take, and receive, of and from all and
every perſon and perſons who ſhall from time to time bring to
the aſſay office within the ſaid town of *Sheffield*, any ſmall pieces
of wrought plate to be aſſayed, tried, and marked, according
to the directions of the ſaid recited act, ſuch prices, ſums of
money, or rewards, as the company of guardians of the ſaid
aſſay office ſhall think fit, and ſhall from time to time, at any
of their meetings aſcertain and order to be taken and received,
ſo as ſuch prices, ſums of money, or rewards, do not exceed
the rate of ſixpence for the aſſaying, trying, and marking, any
one dozen of ſuch ſmall pieces of wrought plate, ſuch dozen
not exceeding in weight ſix ounces troy; and that the prices,
ſums of money, or rewards, allowed to be taken by the ſaid
recited, or this preſent act, ſhall be paid and applied in and
towards the ſupport of the ſaid aſſay office, and towards pay-
ment of any debt or debts already or hereafter to be incurred
on account thereof, and of the expences of obtaining and paſſing
this preſent act, in ſuch manner as the ſaid company of guar-
dians ſhall order and direct; any thing in the ſaid recited act to
the contrary hereof notwithstanding.

Prices allowed
to be taken by
this act for
aſſaying and
marking
wrought
plate.

II. And whereas it is by the ſaid recited act enacted, That if any
working ſilversmith, or dealer in wrought plate, or any worker or
dealer in any other metal plated or covered with ſilver, ſhall ſtrike, or
cauſe to be ſtruck, any letter or letters, upon any veſſel or other thing,
made of metal, plated or covered with ſilver, or upon any metal veſ-
ſel, or other thing, made to look like ſilver, ſuch perſon or perſons ſo
offending ſhall be ſubject to the penalty therein mentioned; and doubts
have ariſen whether a manufacturer of goods plated with ſilver can
or may ſtrike his name upon ſuch goods, without incurring the ſaid
penalty; and by reaſon of ſuch doubts the manufacturers of goods plat-
ed with ſilver have been deterred from ſtriking their names upon
plated goods, whereby a proper diſtinction betwixt plated goods of the
different manufacturers is prevented, and all emulation in that branch
of buſineſs is deſtroyed; to the certain and manifeſt prejudice of the
ſaid manufactory: for obviating ſuch doubts, be it further enact-
ed by the authority aforeſaid, That it ſhall be lawful for any
manufacturer of goods plated with ſilver within the ſaid town
of *Sheffield*, or within one hundred miles thereof, to ſtrike, or
cauſe to be ſtruck, upon any metal veſſel or thing, plated or
covered with ſilver, his or her ſurname, or, in caſe of any part-
nership, the name or firm of ſuch partnership, and alſo ſome
mark, figure, or device, to be ſtruck at the end of ſuch ſur-
name, or other name or firm; ſuch mark, figure, or device,
not being the ſame, or in imitation of any mark, made uſe of
by any aſſay office eſtabliſhed by law for aſſaying of wrought
plate, without being ſubject to any penalty or forfeiture for ſo
doing;

Manufactur-
ers of plated
goods may
ſtrike their
names, toge-
ther with a
mark, on the
goods, with-
out incurring
the penalty in
the act 13
Geo. 3.

doing; any thing in the ſaid act to the contrary hereof notwithſtanding.

Names to be in legible characters; and marks to be approved of by the guardians, and regiſtered at the office.

III. Provided nevertheless, That every ſuch ſurname, or name, or firm, as aforeſaid, ſhall be in plain, and legible characters, and ſtruck with one punch only; and every ſuch mark, figure, or device, ſhall, before the ſame is made uſe of, be ſubmitted to the examination of the ſaid company of guardians of the ſaid *Sheffield* aſſay office, and be approved of by them at ſome of their publick meetings, and regiſtered in a book, to be kept for that purpoſe; for which regiſtry there ſhall be lawfully demanded and taken, from any manufacturer of plated goods on whoſe account ſuch regiſtry ſhall be made, the ſum of two ſhillings and ſixpence, and no more.

Manufacturers uſing a name or mark not regiſtered, or belonging to others, to be ſubject to a penalty.

IV. And be it further enacted and declared, That in caſe any manufacturer or manufacturers of plated goods within the ſaid town of *Sheffield*, or within one hundred miles thereof, ſhall at any time hereafter ſtrike any name, mark, figure, or device, upon his plated goods, which ſhall not have been previously regiſtered at the ſaid aſſay office for the ſaid town of *Sheffield*, or which ſhall have been previously regiſtered at the ſaid office by any other manufacturer of plated goods, every perſon ſo offending ſhall, for every ſuch offence, forfeit and pay, to the ſaid wardens, the ſum of one hundred pounds, to be recovered in like manner as any penalty or forfeiture is, by the ſaid recited act, authoriſed or directed to be recovered, and to be applied as any other money is herein-before directed to be applied.

Publick act.

V. And be it further enacted by the authority aforeſaid, That this act ſhall be deemed and taken to be a publick act, and ſhall be judicially taken notice of as ſuch, by all judges, juſtices, and other perſons whomſoever, without ſpecially pleading the ſame.

C A P. XXI.

An act for the preſervation and encouragement of the hat manuſactury within this realm, by preventing the exportation of Britiſh bare ſkins, Britiſh bare wool, and Britiſh coney wool, and all undreſſed or untawed Britiſh coney ſkins, and for preventing any of the ſaid ſkins from being ſtained or dyed; and for the importation of goat's hair into this kingdom, duty-free.

Preamble.

WHEREAS Britiſh bare wool, and Britiſh coney wool, are principal articles uſed in hat making, and ſuch of theſe articles as are of the growth or produce of England, far excel thoſe of any other country in quality; by reaſon whereof, and of the great excellence to which the hat manuſacture hath been brought in this kingdom, Engliſh hats have had great preference abroad, and conſiderable quantities of them have been heretofore exported to foreign markets; but of late ſeveral foreign ſtates have eſtabliſhed manuſactures of this kind, and, inſtead of taking from this kingdom (as heretofore they have been uſed to do), they not only detain their own commodities, which

which heretofore have been usually imported, but they also purchase and take from us our raw British bare skins, and British coney skins, and British bare wool, and British coney wool, which, by the present laws of this realm, they are at liberty to do, on paying a trifling duty on the exportation thereof, whereby the hat manufacture of this kingdom (on which the support of many thousands of British subjects depends) is materially injured, and the said foreign manufactures benefited and supported: and whereas goats hair, or Turkey goats wool, is also an article much used in the hat manufacture, great quantities of it have heretofore been imported into this kingdom, which always paid a duty of sixpence per pound, or thereabouts, on importation, whereas our rivals in the hat manufacture permit the same to be imported into their respective countries duty-free, by reason whereof only very small quantities of it have lately been imported into this kingdom: for remedy and prevention of those several evils, and to the intent that the hat manufacture of this kingdom may be preserved and encouraged, by prohibiting the exportation of all *British* hare skins, and *British* hare wool, and *British* coney wool, and all undressed or untawed *British* coney skins, and by permitting goats hair, or *Turkey* goats wool, to be imported into this country duty-free; may it please your most excellent Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That no person or persons whatsoever, from and after the twentieth day of *August*, in the year of our Lord one thousand seven hundred and eighty-four, shall directly or indirectly export, transport, ship off, carry or convey, or cause or procure to be exported, transported, shipped off, carried or conveyed, out of or from the kingdom of *Great Britain*, into any foreign realm, states, or dominions, or into any parts or places whatsoever beyond the seas, any *British* hare skins, or parts or pieces of any such skins, or *British* hare wool, or *British* coney wool, or any undressed or untawed *British* coney skins, or parts or pieces of any such skins whatsoever; or shall directly or indirectly load, or cause to be loaden, upon any horse, cart, or other cattle or carriage, or load or lay on board, or cause to be loaden or laid on board, of or in any ship, vessel, or boat, in any place or ports within or belonging to this realm, any *British* hare skins, or parts or pieces thereof, or any *British* hare wool, or *British* coney wool, or any undressed or untawed *British* coney skins, or any parts or pieces of any such skins, to the intent or purpose to export or transport, ship off, carry or convey the same, or cause the same to be exported, transported, shipped off, carried or conveyed out of the kingdom of *Great Britain*, or out of any port or place belonging thereto, or with intent or purpose that any person or persons whatsoever should so export, transport, ship off, carry or convey the same out of the said kingdom, or into any foreign parts or places whatsoever.

From Aug. 20, 1784, no person shall export any *British* hare skins, hare wool, or coney wool, or undressed coney skins,

or load any horse or cart, &c. therewith, in order to export the same,

II. And be it enacted by the authority aforesaid, That all and

Penalty on
the aforeſaid
offences.

and every the offender and offenders, offence and offences aforeſaid, ſhall be ſubject and liable to the reſpective pains and penalties and forfeitures herein-after mentioned; (that is to ſay), the ſaid *British* hare ſkins, or any parts or pieces of any ſuch ſkins, and *British* hare wool, and *British* coney wool, and undreſſed or untawed *British* coney ſkins, or any parts or pieces of any ſuch ſkins ſo exported, tranſported, ſhipped off, or carried, conveyed, or laden, contrary to the true intent and meaning of this act, ſhall be forfeited, and the ſame ſhall and may be ſeized and proſecuted by any officer and officers of his Maſteſty's customs, and the owner or proprietor, ſhipper, or exporter, of ſuch goods, ſhall, for each and every offence, forfeit five hundred pounds; and every maſter and mariner of ſuch ſhip, veſſel, or boat, on which ſuch goods ſhall be laden, and every perſon whatſoever, knowing ſuch offence, and willingly aiding and aſſiſting therein, ſhall, for each and every offence, forfeit and pay forty pounds.

From Aug.
20, 1784. no
perſon ſhall
ſtain or dye
any *British*
hare ſkins or
coney ſkins,
on forfeiture
thereof, with
the machines,
&c. and alſo
201.

III. *And, inasmuch as the proviſions hereby made for the preſervation of the aforeſaid British hare ſkins and British coney ſkins for the hat manufactory may be invaded, and in a great meaſure rendered ineffectual, by the ſtaining or dying of ſuch ſkins; for prevention whereof, be it further enacted by the authority aforeſaid,* That no perſon or perſons whatſoever, from and after the ſaid twentieth day of *Auguſt*, one thouſand ſeven hundred and eighty-four, ſhall directly or indirectly ſtain or dye, or cauſe, procure, ſuffer, or permit, to be ſtained or dyed, any *British* hare ſkins, or parts or pieces of any ſuch ſkins, or any *British* coney ſkins, or parts or pieces of any ſuch ſkins whatſoever, within the kingdom of *Great Britain*, on forfeiture thereof, together with all and every the machines or other utenſils wherein any of the aforeſaid ſkins, or parts or pieces of ſkins, ſhall be ſtained or dyed, together with all the apparatus to them and every of them belonging, to be ſeized and proſecuted as herein-before directed; and that every of the offender and offenders therein, and all and every perſon and perſons whomſoever aiding and aſſiſting therein, ſhall forfeit and pay, for every offence, the ſum of twenty pounds.

Penalties and
forfeitures
how to be re-
covered and
applied.

IV. And it is hereby further enacted by the authority aforeſaid, That the ſeveral penalties and forfeitures herein-before inſiſted, ſhall be one moiety to his Maſteſty, his heirs and ſucceſſors, and the other moiety to ſuch officer or officers of the customs who ſhall ſue and proſecute for the ſame; and ſhall and may be recovered in the ſame manner, and by the ſame rules and regulations, as other penalties and forfeitures are recovered by any act or acts of parliament for preventing frauds in his Maſteſty's revenue of the customs.

Limitation of
actions.

V. And be it further enacted by the authority aforeſaid, That if any action, bill, plain, ſuit, or information, ſhall be commenced or proſecuted againſt any perſon for what he ſhall do in purſuance of this act, ſuch action, bill, plaint, ſuit, or information, ſhall be brought and proſecuted in the county where
the

the cause of action doth arise, and not in any other county or place, and the person so sued shall and may file common bail, or enter into a common appearance, and plead the general issue General issue. not guilty, and, upon issue joined, may give this act and the special matter in evidence; and if the plaintiff or prosecutor shall become nonsuit, or suffer discontinuance, or if a verdict shall pass against him, or if upon demurrer judgement pass against him, the defendant shall recover treble costs, and have Treble costs. the like remedy for the same as the defendant or defendants hath or have in other cases by law.

VI. *And, for the better encouragement of the hat manufactory of this kingdom, to the intent that goats hair, or Turkey goats wool, may hereafter be imported into this country duty-free*, be it further enacted by the authority aforesaid, That all and every duty and duties, of what nature or kind soever, payable to his Majesty, his heirs or successors, by any act or acts of parliament, for or upon any goats hair, or Turkey goats wool, imported into the kingdom of Great Britain, from and after the said twentieth day of August, one thousand seven hundred and eighty-four shall cease and determine, and be no longer paid or payable. After Aug. 20, 1784, goats hair may be imported duty-free.

C A P. XXII.

An act for enabling Sir Ashton Lever to dispose of his museum, as now exhibited at Leicester House, by way of chance.

See Mr. Cox's museum, and the Adelphi, in 1773. Sir Ashton Lever impowered to dispose of his museum by lottery, without being liable to any penalty. Sum to be raised not to exceed 37,800l. and number of tickets 36,000. To advertise such sale by Dec. 25, 1784, and before he sell, &c. any tickets, with an account of the pieces composing the museum, in the London Gazette. To consist of one prize, to be determined by the lottery of 1785, if it consists of 36,000 tickets or upwards. If no lottery in 1785 that shall consist of 36,000 tickets, then by a private lottery, after Feb. 2, and before March 25, 1786, under the inspection of the honourable Daines Barrington, Bamber Gascoigne junior esquire, Thomas Stanley esquire, John Blackburn esquire, and Thomas Butterworth Bayley esquire, or any three of them, and the first number to be the prize. Upon such advertisement, the property to vest in the trustees. Sir Ashton Lever to take the profits till the sale. Power to elect new trustees. Publick act.

C A P. XXIII.

An act for further continuing, for a limited time, an act made in the twenty-third year of the reign of his present Majesty, intituled, An act for preventing certain instruments from being required from ships belonging to the United States of America; and to give to his Majesty, ~~for a limited time, certain powers for the better carrying on trade and commerce between the subjects of his Majesty's dominions, and the inhabitants of the said United States.~~ — Further continued till April 5, 1785.

C A P. XXIV.

An act for granting to his Majesty certain rates and duties upon bricks and tiles made in Great Britain; and for laying additional duties on bricks and tiles imported into the same.

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, towards raising, by the most easy means, the necessary supplies to defray your Majesty's publick expences, have freely and voluntarily resolved to give and grant unto your Majesty the several rates and duties and sums of money herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of *September*, one thousand seven hundred and eighty-four, there shall be raised, levied, collected, and paid, throughout the kingdom of *Great Britain*, upto and for the use of his Majesty, his heirs and successors, upon all bricks and tiles made in *Great Britain*, payable and to be paid by the maker or manufacturer thereof, the rates and duties herein-after mentioned; that is to say,

From Sept. 1, 1784, the following duties shall be raised upon all bricks and tiles made in Great Britain, to be paid by the maker thereof; videlicet,

For all bricks, 2 s. 6 d. per 1,000;

Plain tiles, 3 s. per 1000;

Pan or ridge tiles, 8 s. per 1,000;

Paving tiles, small, 1 s. 6 d. per 100;

Ditto, large, 3 s. per 100;

and all other tiles, 3 s. per 1,000.

For and upon all bricks, by whatsoever name or names they now are, or hereafter may be called or known, a duty of two shillings and sixpence for every thousand, and so in proportion for any greater or less quantity:

For and upon all tiles, commonly called or known by the name of *Plain Tiles*, a duty of three shillings for every thousand, and so in proportion for any greater or less quantity:

For and upon all tiles, commonly called or known by the name of *Pan or Ridge Tiles*, a duty of eight shillings for every thousand, and so in proportion for any greater or less quantity:

For and upon all tiles, commonly called or known by the name of *Paving Tiles*, not exceeding ten inches square, a duty of one shilling and sixpence for every hundred, and so in proportion for any greater or less quantity:

For and upon all tiles, commonly called or known by the name of *Paving Tiles*, exceeding ten inches square, a duty of three shillings for every hundred, and so in proportion for any greater or less quantity:

For and upon all tiles, other than such as are herein before enumerated and described, by whatsoever name or names such tiles now are or hereafter may be called or known, a duty of three shillings for every thousand, and so in proportion for any greater or less quantity.

II. And

II. And be it enacted by the authority aforesaid, That all bricks and tiles of the several sorts or descriptions upon which any duty is by this act payable, and which shall be prepared or preparing in the custody or possession of any maker or manufacturer of bricks or tiles, respectively, and shall not have been burnt and finished in the kiln, or clamp on or before the first day of September, one thousand seven hundred and eighty-four, shall, and are hereby declared to be subject and liable to the several and respective duties by this act granted.

All bricks and tiles in making after Sept. 1. 1784, shall be liable to the duties.

III. And, for the better ascertaining, charging, collecting, raising, levying, and securing, the said rates or duties by this act imposed, and preventing frauds therein, be it further enacted by the authority aforesaid, That the rates or duties by this act made payable upon bricks and tiles, made or manufactured in England, Wales, or town of Berwick upon Tweed, shall be under the receipt and management of the commissioners and officers of his Majesty's revenues of excise in England for the time being; and the rates or duties by this act made payable upon bricks and tiles in Scotland, shall be under the receipt and management of the commissioners of excise in Scotland for the time being.

Duties to be under the management of the commissioners of excise.

IV. And be it further enacted by the authority aforesaid, That, from and after the said first day of September, one thousand seven hundred and eighty-four, all and every person and persons whatsoever, who shall make or manufacture any bricks or tiles, within the kingdom of Great Britain, chargeable with the said duties by this act imposed, shall, before he, she, or they, shall begin to make or manufacture any such bricks or tiles, give or leave notice in writing at the office of excise next to the place or places where such bricks or tiles are intended to be made, of their respective names and places of abode, and of the sheds, workhouses, or other place or places where such bricks or tiles are intended to be made or prepared for making; and as often as such makers or manufacturers of bricks or tiles shall change their places of making, manufacturing, and preparing bricks or tiles as aforesaid, he, she, or they, shall give or leave the like notice of their respective names and places of abode, and the sheds, workhouses, or other place or places, where he, she, or they, shall respectively intend to make, manufacture, or prepare any such bricks or tiles as aforesaid, before they do presume to make, manufacture, or prepare, any such bricks or tiles, as aforesaid, in any such new or other place or places, upon pain to forfeit the sum of one hundred pounds, for every neglect or default in not giving such notice as aforesaid.

Brick or tile makers to give notice at the next office of excise names and places of abode, &c. before they begin making.

V. And be it further enacted by the authority aforesaid, That all bricks or tiles chargeable with the said duties by this act granted, shall be, from time to time, taken an account of, and charged with the said duties by the proper officer of excise, whilst such bricks or tiles shall be in the operation of drying or hardening in the field, shed, or other place or places where the same shall be made or prepared, after being turned out of the

on forfeiture of 100l.

Bricks and tiles, to be charged with the duties whilst they are drying, and before removed to the kiln.

Penalty on
obſtructing
officers.

moulds, and before removed to the kiln or clamp for burning; and if any maker or manufacturer of bricks or tiles, or his clerk, or their workmen, or other perſon or perſons, ſhall ſolely, hinder, or obſtruct, ſuch officer of exciſe, in taking an account of the number, kind, and qualities, of ſuch bricks or tiles, in that or any other ſtage of the operation of preparing, making, or finiſhing ſuch bricks or tiles, he, ſhe, or they ſhall, for every ſuch offence, forfeit and loſe the ſum of fifty pounds.

Ten in every
hundred to
be allowed for
waſte, &c.

VI. And be it further enacted by the authority aforeſaid, That all and every officer and officers of exciſe ſhall, and they are hereby required, in charging the duties upon bricks and tiles as aforeſaid, to allow to the reſpective makers or manufacturers thereof, in their returns or reports of the ſeveral quantities of bricks or tiles, made by ſuch reſpective makers or manufacturers thereof, ten bricks or tiles in every hundred of ſuch bricks or tiles reſpectively, which ſuch officer or officers ſhall charge upon the reſpective makers or manufacturers thereof, when charged in the field, ſhed, or other place, before burnt; which ſaid allowance is hereby declared to be a full compenſation for all waſte, loſſes, or damages whatſoever.

Makers who
ſhall remove
brick or tiles
to the kiln
before the
officer has
charged the
duty, ſhall
forfeit the
fine, and alſo
ſol.

VII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons who ſhall make any bricks or tiles chargeable with the ſaid duties by this act impoſed, ſhall remove, carry, or ſend away, or cauſe or ſuffer to be removed, carried, or ſent away, any bricks or tiles, to the kiln, clamp, or other place for burning, from or out of the field, ſhed, or other place where they ſhall be firſt put or placed to dry or harden, after being turned out of the mould, and before the proper officer of exciſe ſhall have taken an account thereof, and charged the duties thereupon, he, ſhe, or they, ſhall forfeit the ſum of fifty pounds for every ſuch offence; and that all and every the bricks and tiles ſo carried away, and being found in the poſſeſſion of any brickmaker, tilemaker, or other trader or dealer therein, or any perſon or perſons for the uſe of ſuch brickmaker or tilemaker, or trader or dealer therein, ſhall be forfeited, and may be ſeized, or the value thereof, and ſhall and may be recovered, to wit, one moiety for the uſe of his Maſteſty, and the other moiety to the ſeizer or informer.

except where
the officer
ſhall neglect
to take an ac-
count thereof.

VIII. Provided always, and be it enacted, That no perſon or perſons who are or ſhall be makers of bricks or tiles ſhall be ſubject to the penalty or forfeiture above impoſed for removing bricks or tiles, if the proper officer of exciſe ſhall fail to take an account thereof, on due notice given him for that purpoſe three days before ſuch removal.

Bricks and
tiles not ſur-
veyed, &c. by
the proper of-
ficer, to be
kept ſeparate
from others.

IX. And it is hereby further enacted by the authority aforeſaid, That all and every perſon or perſons making any bricks or tiles as aforeſaid, ſhall, from time to time, keep ſuch and ſo many of the ſaid bricks and tiles as ſhall not have been ſurveyed and taken an account of by the proper officers in that behalf, ſeparate and apart from all other bricks and tiles which ſhall have been ſurveyed and taken an account of by ſuch officers, on pain

pen to forfeit, for every neglect or default therein, the ſum of fifty pounds.

X. And be it further enacted by the authority aforeſaid, That if any of the ſaid makers or manufacturers of bricks or tiles ſhall fraudulently hide or conceal, or cauſe to be hid or concealed, any bricks or tiles in any part of the operation of preparing, making, or finiſhing the ſame, with intent to defraud his Maſteſty of his juſt duties thereon by this act granted, then, and in every ſuch caſe, the party ſo offending ſhall forfeit the ſum of twenty pounds for every ſuch offence; and all ſuch bricks or tiles as ſhall be found ſo fraudulently hid or concealed ſhall be forfeited, and ſhall and may be ſeized by any officer or officers of exciſe.

XI. And be it further enacted by the authority aforeſaid, That all and every the officers of exciſe ſhall, at all times, be permitted to enter into the fields, ſheds, and other places where any bricks or tiles ſhall be preparing or making, and take an account of the kinds and qualities thereof, and ſhall thereof make a report or return to the reſpective comiſſioners of exciſe, or ſuch perſons as they reſpectively ſhall appoint to receive the ſame, leaving a true copy (if demanded) in writing of ſuch reports or charges, under his hand, with or for the ſaid maker or manufacturer of bricks or tiles; and ſuch report or return ſhall be a charge upon every ſuch maker or manufacturer of bricks or tiles reſpectively; and if the ſaid officer ſhall reſuſe or neglect to give or leave a true copy of his report or charge at the time of taking ſuch account, being demanded as aforeſaid, every ſuch officer, for every ſuch offence, ſhall forfeit the ſum of forty ſhillings to every ſuch maker or manufacturer.

XII. And it is hereby further enacted by the authority aforeſaid, That, from and after the ſaid firſt day of September, one thouſand ſeven hundred and eighty-four, all and every maker and makers of bricks or tiles, whereon a duty is chargeable by this act, ſhall, once in every fix weeks, make a true entry in writing at the next office of exciſe, of all ſuch bricks and tiles as have been by him, her, or them, ſeverally made within every ſuch fix weeks reſpectively; which entries ſhall contain the juſt and true kinds and quantities thereof, diſtinguiſhing the different ſorts under the ſeveral and reſpective denominations aforeſaid; and if ſuch brickmaker or tilemaker be not the true owner of ſuch goods, or any of them, then and in every ſuch caſe he, ſhe, or they, in every ſuch entry, ſhall ſpecify the names and places of abode of the perſons who are the owners thereof, or for whole account they reſpectively do make the ſame, on pain to forfeit, for every neglect of ſuch entry, the ſum of fifty pounds; which entry ſhall be made upon the oath of the maker or makers thereof reſpectively, or of his, her, or their chief workman employed, to the beſt of their knowledge or belief, unleſs he, ſhe, or they, be a known Quaker, and in ſuch caſe the ſolemn affirmation of a known Quaker to the ſame effect ſhall be taken inſtead of ſuch oath; and the oaths and affirmations.

But not oblig-
ed to go fur-
ther than the
next market
town.

tions to verify ſuch entries ſhall and may be adminiſtered by the proper collector or ſuperviſor of the diſtrict or diviſion in which ſuch brickmaker or tilemaker doth inhabit, without any fee or charge whatſoever to be taken for the ſame. Proviſed always, That no perſon, for the making of ſuch entries, oaths, or affirmations, as are laſt mentioned, ſhall be obliged to go or ſend further than the city or market town where his or her bricks or tiles are made, or the next city or market town to the place of making the ſame.

Duties to be
paid every fix
weeks.

XIII. And be it further enacted by the authority aforeſaid, That all and every the perſon or perſons who ſhall make ſuch bricks or tiles reſpectively, as aforeſaid, ſhall, from time to time, within ſix weeks after he, ſhe, or they, ſhall make, or ought to have made, ſuch entry as aforeſaid, pay and clear off all the ſaid duties which ſhall be then due or remain unpaid for all ſuch bricks or tiles as ſhall have been made by him, her, or them reſpectively, as aforeſaid, upon pain of forfeiting for every default therein, double the ſum of the ſame duties whereof the payment ſhall be neglected; and that no ſuch perſon or perſons, after ſuch default in payment made, ſhall deliver or carry away, or cauſe to be delivered or carried away, any ſuch bricks or tiles, until he, ſhe, or they, have or hath paid and cleared off his, her, or their duties, on pain to forfeit double the value of the goods ſo delivered or carried away.

Perſons ob-
ſtructing of-
ficers,

to forfeit 50l.

XIV. And be it further enacted by the authority aforeſaid, That if any maker or manufacturer of bricks or tiles, or his, her, or their ſervants or workmen, or any other perſon or perſons whatſoever, ſhall moleſt, obſtruct, or hinder, any of the ſaid officers in the execution of the powers or authorities given by this act, the offenders therein, for every ſuch offence, ſhall forfeit the ſum of fifty pounds.

Bricks and
tiles, imple-
ments, &c. li-
able to the
duties in ar-
rear.

XV. And be it enacted by the authority aforeſaid, That all bricks and tiles, and the materials for making the ſame, and all tools, implements, and utenſils uſed in or for making the ſame, in the cuſtody of any ſuch makers of bricks or tiles reſpectively as aforeſaid, or of any perſon or perſons to the uſe of or in truſt for them, or any of them, ſhall be liable to, and are hereby made chargeable with, all the debts and duties in arrear and owing by ſuch makers of bricks and tiles reſpectively, for any bricks or tiles made by him, her, or them, or in his, her, or their fields, ſheds, or places as aforeſaid, and ſhall be alſo ſubject to all penalties and forfeitures incurred by ſuch perſon or perſons ſo making ſuch bricks or tiles as aforeſaid, for any offence againſt this act relating to the duties on ſuch bricks or tiles; and it ſhall and may be lawful for any juſtices to levy debts and penalties, and uſe ſuch proceedings as may be lawful to be done by this act, in relation to ſuch goods and things, in caſe the debtor or offender were the true and lawful owner of the ſame.

Bricks or
tiles, for
which the du-

XVI. Provided always, and be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any

any perſon or perſons who ſhall have actually paid his Maſteſty's duties by this act payable for any quantity of bricks or tiles whatſoever, and to and for any other perſon or perſons who ſhall buy, or be lawfully entitled to, any ſuch quantity of bricks or tiles, from the ſaid perſon or perſons who actually paid his Maſteſty's duties for the ſame, to export ſuch bricks or tiles to any parts beyond the ſeas, by way of merchandize, giving ſufficient ſecurity, before the ſhipping thereof for exportation, that the particular quantity of bricks or tiles which ſhall be intended to be exported as aforeſaid, and every part thereof, ſhall be ſhipped and exported, and that the ſame, or any part thereof, ſhall not be reſanded or brought again into any part or parts of *Great Britain*; which ſecurity the cuſtomer or collector of the reſpective port for ſuch exportation is hereby directed and authorized to take in his Maſteſty's name, and to his uſe.

ties have been paid, may be exported.

XVII. Provided always, That if after the ſhipping any ſuch bricks or tiles to be exported as aforeſaid, and the giving or tendering ſuch ſecurity as aforeſaid, in order to obtain the allowance or drawback herein-after mentioned, the bricks or tiles ſo ſhipped to be exported, or any of them, ſhall be reſanded in any part of *Great Britain*; that then, and in every ſuch caſe, over and above the penalty of the bond, which ſhall be levied and recovered to his Maſteſty's uſe, all the bricks and tiles which ſhall be landed, or the value thereof, ſhall be forfeited.

Penalty on re-landing bricks, &c. ſhipped for exportation.

XVIII. And it is hereby alſo enacted, That any perſon or perſons who ſhall export any bricks or tiles to any parts beyond the ſeas, ſhall or may make proof upon oath, (or upon affirmation, being Quakers), that the duty on ſuch bricks or tiles hath been paid or ſecured according to this act (which oath or affirmation the collector who received the ſaid duty is hereby required and impowered to adminiſter); and thereupon the ſaid collector for the ſaid duty upon bricks and tiles ſhall give to ſuch perſon or perſons, gratis, a certificate or certificates, expreſſing the kinds and quantities of ſuch bricks or tiles, and the duties paid or ſecured to be paid for the ſame, purſuant to this act; which certificate being produced to the cuſtomer or collector of the port where the ſaid bricks or tiles ſhall be exported, and oath or affirmation as aforeſaid being alſo made by the exporter before the ſaid cuſtomer or collector of the port. (who is hereby alſo authorized and required to adminiſter the ſame without fee or charge), that the bricks or tiles ſo exported are the ſame mentioned in the ſaid certificate; then the ſaid cuſtomer or collector of the port where ſuch bricks or tiles ſhall be exported, ſhall give to the exporter thereof a debenture, expreſſing the true quantity of the bricks or tiles ſo exported; which debenture being produced to the collector appointed to receive the duties on bricks and tiles in ſuch county or place where the ſaid bricks or tiles were exported, he ſhall forthwith pay, the ſaid duty which ſhall have been received upon this act to the perſons ſo exporting the ſame, or their agents; and if ſuch collector ſhall not have money in his hands to pay the ſame, then

Perſons exporting bricks and tiles, and making oath that the duties have been paid, &c. ſhall receive a certificate from the collector;

which ſhall be delivered to the cuſtomer of the port of exportation;

who ſhall thereupon give to the exporter a debenture, which will intitle him to a drawback.

the faid refpective commissioners of excife are hereby required to pay the faid debenture out of the duties upon bricks and tiles arifing by this act; or if the duty on fuch bricks or tiles fupported were only fecurity, and fhall remain unpaid, the fame fhall be difcharged upon the fecurities for the fame.

Persons ferving bricks or tiles, after Sept. 1, 1784, in purfuit of contracts previous to June 1, may add the duties to the price thereof.

XIX. And whereas ftanding contracts may have been made before the firft day of June, one thoufand feven hundred and eighty-four, by makers or manufacturers of bricks or tiles, for ferving other perfons with bricks or tiles to be delivered in point of time after the faid firft day of September, one thoufand feven hundred and eighty-four, it is hereby enacted, That the perfons ferving fuch bricks or tiles after the faid firft day of September, one thoufand feven hundred and eighty-four, in purfuit of fuch former contracts, fhall be allowed to add the duties hereby charged upon fuch bricks or tiles to the price thereof, and fhall be intitled, by virtue of this act, to be paid for the fame accordingly.

The powers eftablifhed by act 12 Car. 2. c. 24. for rating and recovering the duties thereby granted, extended to this act.

XX. And be it further enacted by the authority aforefaid, That all and every the powers, directions, rules, penalties, forfeitures, clauses, matters and things, which in and by an act made in the twelfth year of the reign of King Charles the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knights fervice, and purveyance; and for fettling a revenue upon his Majesty in lieu thereof*, or by any other law now in force, relating to his Majesty's revenue of excife upon beer, ale, or other liquors, are provided and eftablifhed for managing, raifing, levying, collecting, mitigating or recovering, adjudging or afcertaining, the duties thereby granted, or any of them, (other than in fuch cafes for which other penalties or provisions are made or prefcribed by this act), fhall be praftifed, ufed, and put in execution, in and for the managing, raifing, levying, collecting, mitigating, recovering, and paying the faid duties hereby granted upon bricks and tiles, as fully and effectually as if all and every the faid powers, rules, directions, penalties, forfeitures, clauses, matters and things, were particularly repeated in this prefent act.

Penalties and forfeitures how to be recovered and applied.

XXI. And be it further enacted by the authority aforefaid, That all fines, penalties, and forfeitures, in relation to the faid duties by this act impofed upon bricks and tiles made or manufactured in Great Britain, as aforefaid, fhall be fued for, levied, recovered, or mitigated, by fuch ways, means, and methods, as any fine, penalty or forfeiture, is or may be recovered or mitigated by any law or laws of excife, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Weftminfter, or in the court of feflion, court of jufticiary, or court of exchequer in Scotland refpectively, as aforefaid, and that one moiety of every fuch fine, penalty, and forfeiture (not otherwife appointed by this act), fhall be to his Majesty, his heirs and fucceffors, and the other moiety to him, her, or them, that fhall difcover, inform, or fue for the fame.

From Sept. 1, 1784, the following addi-

XXII. And it is hereby further enacted by the authority aforefaid, That there fhall be raifed, levied, collected, and paid,

to

to and for the uſe of his Maſteſty, his heirs and ſucceſſors, for and upon the ſeveral goods herein-after mentioned, which ſhall, from and after the ſaid firſt day of September, one thouſand ſeven hundred and eighty-four, be imported or brought into this kingdom from foreign parts, over and above all cuſtoms, ſubſidies, and duties, already impoſed thereon, the ſeveral and reſpective duties following; that is to ſay,

For and upon all bricks, by whatever name they now are, or Bricks, 2s. 6d. hereafter may be known, the ſum of two ſhillings and ſixpence per 1,000; for every thouſand :

For and upon all tiles, commonly called or known by the Plain tiles, 3s. name of Plain Tiles, (except gally tiles) the ſum of three ſhillings for every thouſand :

For and upon all tiles, commonly called or known by the Pan tiles, 8s. name of Pan or Ridge Tiles, the ſum of eight ſhillings for every per 1,000; thouſand :

For and upon all tiles, commonly called or known by the Paving tiles, name of Paving Tiles, not exceeding ten inches ſquare, the ſum of one ſhilling and ſixpence for every hundred, containing five ſcore :

For and upon all tiles, commonly called or known by the name of Paving Tiles, above ten inches ſquare, the ſum of three ſhillings for every like hundred :

And for and upon all tiles, other than ſuch as are herein-before enumerated and deſcribed, by whatever name or names ſuch tiles now are, or hereafter may be called or known (except gally tiles), the ſum of three ſhillings for every thouſand, and in thoſe proportions for any greater or leſs quantity.

And the ſaid duties ſhall be alſo ſubject and liable to an additional impoſt or duty of five pounds per centum, and five pounds per centum thereon, which were impoſed by two ſeveral acts of parliament made in the nineteenth and twenty-second years of his Maſteſty's reign, for granting to his Maſteſty additional duties upon the produce of the ſeveral duties under the management of the reſpective commissioners of cuſtoms and exciſe in Great Britain.

XXIII. And it is hereby further enacted by the authority aforeſaid, That the ſaid duties herein-before granted upon the importation of ſuch foreign bricks and tiles, ſhall be under the management and direction of the commissioners of his Maſteſty's cuſtoms in England and Scotland reſpectively, and ſhall be paid down in ready money, without any diſcount or deduction whatſoever, and ſhall be drawn back upon the exportation of the ſame goods; and the ſaid duties and drawbacks ſhall be levied, collected, recovered, paid, and allowed, in the ſame manner and form, and under ſuch reſtrictions, penalties, and forfeitures, and by ſuch rules, ways, and methods, as the ſame duties and drawbacks for ſuch goods are reſpectively raiſed, levied, collected, recovered, paid, and allowed, (except where any alteration is made by this act), as fully, to all intents and

tional duties to be paid on the importation of bricks and tiles, videlicet,

Ditto, large, 3s. per 100,

and all other tiles, 3s. per 1,000.

Duties to be paid on the importation of bricks and tiles, as granted by 13 Geo. 3. c. 24; and 22 Geo. 3. c. 66.

Importation duties to be under the management of the commissioners of the cuſtoms,

and to be received, &c. in the ſame manner as the former duties.

purpose, as if the several clauses, powers, directions, penalties, and forfeitures, in any act or acts of parliament relating thereto, were particularly repeated, and again enacted in the body of this present act.

Duties to be paid into the exchequer.

Application to the court.

Defendants may call the general issue.

and have treble cost.

XXIV. And be it further enacted by the authority aforesaid, That all moneys arising by and in respect of the rates and duties hereby granted and imposed, (the necessary charges of raising and accounting for the same excepted), shall, from time to time, be paid into the receipt of his Majesty's exchequer at Westminster, separate and apart from all other branches of the publick revenue, and the said moneys so paid into the said receipt of exchequer as aforesaid, shall be a fund for the payment of the several annuities, and all such other charges and expences as are directed to be paid and payable, pursuant to an act of this present session of parliament, intitled, *An act for raising a certain sum of money to defray the expences of an annuity, and for establishing a lottery.*

XXV. And be it further enacted by the authority aforesaid, That if any person or persons shall at any time or times be sued, molested, or prosecuted, for any thing by him or them done or committed in pursuance of this act, or of any clause, matter, or thing therein contained, such person or persons shall and may plead the general issue, and give the special matter in evidence for his or their defence, and upon the trial verdict shall pass for the defendant or defendants, or if the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action or actions, then such defendant or defendants shall have treble costs awarded to him or them against such plaintiff or plaintiffs.

C A P. XXV.

An act for the better regulation and management of the affairs of the last India company, and of the British possessions in India, and for establishing a court of judicature for the more speedy and effectual trial of persons accused of offences committed in the East Indies.

Preamble.

His Majesty empowered to appoint six privy counsellors to be commissioners in the affairs of India.

FOR the better government and security of the territories and possessions of this kingdom in the *Last Indies*, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for the King's majesty, his heirs and successors, by any commission to be issued under the great seal of *Great Britain*, to nominate and appoint such persons, not exceeding six in number, as his Majesty shall think fit, being of his Majesty's most honourable privy council, of whom one or his Majesty's principal secretaries of state, at the time being, and the chancellor of the exchequer for the time being, shall be two, to be, and who shall accordingly be commissioners for the affairs of *India*,

II. And be it further enacted by the authority aforesaid, That

That any number, not lefs than three of the faid commissioners, shall form a board for executing the feveral powers which, by this or any other act, shall be vefted in the commissioners aforefaid.

Three of whom shall form a board.

III. And be it further enacted, That the faid fecretary of ftate, and, in his abfence, the faid chancellor of the exchequer, and, in the abfence of both of them, the fenior of the faid other commissioners, according to his rank in feniority of appointment, fhall prefide at, and be prefident of the faid board; and that the faid commissioners fhall have, and they are hereby invefted with, the fuperintendence and controul over all the *Britifh* territorial poffeffions in the *East Indies*, and over the affairs of the united company of merchants trading thereto, in manner herein-after directed.

Who fhall be prefident.

Powers of the commissioners.

IV. And be it further enacted, That in cafe the members prefent at the faid board fhall at any time be equally divided in opinion, in refpect to any matter depending before them, then, and in every fuch cafe, the then prefident of the faid board fhall have two voices, or the cafting vote.

Prefident to have the cafting vote.

V. And be it further enacted, That it fhall and may be lawful for the King's majefty, his heirs and fucceffors, from time to time, at his and their will and pleafure, to revoke and determine the commiffion aforefaid, and from time to time to caufe any new commiffion or commiffions to be fealed as aforefaid, for appointing any other perfon or perfons, being of his Majefty's moft honourable privy council, of whom, one of his Majefty's principal fecretaries of ftate, and the chancellor of the exchequer, for the time being, fhall always be two, to be commissioners and members of the faid board, when and fo often as his Majefty, his heirs or fucceffors, fhall think fit, fo that the number of commissioners therein to be named fhall in no wife exceed the aforefaid number of fix.

His Majefty may revoke the commiffion at pleafure, and appoint new commissioners.

VI. And be it further enacted, That the faid board fhall be fully authorized and impowered, from time to time, to fuperintend, direct, and controul, all acts, operations, and concerns, which in anywife relate to the civil or military government or revenues of the *Britifh* territorial poffeffions in the *East Indies*, in the manner herein-after directed.

Government and revenues of the *Britifh* territorial poffeffions in *India*, fubject to the controul of the board.

VII. And be it further enacted, That the faid fecretary of ftate for the time being fhall nominate and appoint fuch fecretaries, clerks, and other officers, as fhall be neceffary to attend upon the faid board, who fhall be fubject to difmiffion at the pleafure of the faid board; and that all proceedings whatfoever to be had by or before the faid board fhall be entered in proper books, and that the faid fecretaries, clerks, and other officers, fhall receive fuch falaries as his Majefty fhall, by warrant under the great feal, from time to time, direct.

Secretaries, &c. to attend the board, how to be appointed and paid.

VIII. Provided always, and be it further enacted, That the members of the faid board, before they fhall proceed to act in the execution of any of the powers or authorities to them given by this act, (fave only the power of adminiftring the oath after mentioned),

Members of the board to be fworn.

mentioned), shall severally take and subscribe the following oath; (that is to say);

The oath.

I A. B. do faithfully promise and swear, That, as a commissioner or member of the board for the affairs of India, I will give my best advice and assistance for the good government of the British possessions in the East Indies; and will execute the several powers and trusts reposed in me, according to the best of my skill and judgement, without favour or affection, prejudice or malice, to any person whatsoever.

Which said oath any two of the members of the said board shall, and are hereby impowered to administer; and the said oath shall be entered by the said secretary amongst the acts of the board, and be duly subscribed and attested by the members thereof, at the time of their taking and administering the same to each other respectively.

Secretaries,
&c. to be
sworn.

IX. And be it further enacted, That the several secretaries, clerks, and other officers of the said board, shall also take and subscribe, before the said board, such oath of secrecy and office as the said board shall direct.

6. Annæ, c. 7.

Neither the
commission-
ers, nor their
chief secreta-
ry, disquali-
fied from being
elected mem-
bers of par-
liament.

X. And, for avoiding any doubt which may arise, whether the office or place of a commissioner of the said board for the affairs of India, or of a secretary to the said board, be within any of the provisions contained in an act of the sixth year of the reign of Queen Anne, intituled, An act for the security of her Majesty's person and government, and of the succession of the crown of Great Britain in the Protestant line; or whether the appointment of any such commissioner or secretary, being a member or members of the house of commons, shall vacate his or their seat or seats in that house; be it further enacted and declared, That the said respective offices, places, or appointments of a commissioner, or of the chief secretary of the said board for the affairs of India, to be made under the authority of this act, shall not be deemed or taken to be within the intent or purview of the said act of the sixth year of Queen Anne, whereby to disqualify any such commissioner or chief secretary from being elected, or sitting or voting as a member of the house of commons; nor shall the appointment of any such commissioner or chief secretary, if a member or members of the said house, vacate his or their seat or seats in the said house; any thing contained in the said act of the sixth year of Queen Anne, or in any other act, to the contrary notwithstanding.

Members of
the board to
have access
to, and to be
furnished with
copies of, any
papers be-
longing to the
India com-
pany.

XI. And, to the intent that the said board may be duly informed of all transactions of the said company, in respect to the duty of their concerns in the East Indies; be it further enacted, That all the members of the said board shall, at all convenient times, have access to all papers and muniments of the said united company, and shall be furnished with such extracts or copies thereof, as they shall from time to time require; and that the court of directors of the said united company shall, and they are here-
by

by required and directed, to deliver to the said board copies of minutes, orders, resolutions, and other proceedings, of all general and special courts of proprietors of the said company, and of the said court of directors, so far as relate to the civil or military government or revenues of the *British* territorial possessions in the *East Indies*, within eight days after the holding of such respective courts; and also copies of all dispatches which the said directors, or any committee of the said directors, shall receive from any of their servants in the *East Indies*, immediately after the arrival thereof; and also copies of all letters, orders, and instructions whatsoever, relating to the civil or military government or revenues of the *British* territorial possessions in the *East Indies*, proposed to be sent or dispatched, by the said court of directors, or any committee of the said directors, to any of the servants of the said company in the *East Indies*; and that the said court of directors of the said united company shall, and they are hereby required to pay due obedience to, and shall be governed and bound by, such orders and directions as they shall from time to time receive from the said board, touching the civil or military government and revenues of the *British* territorial possessions in the *East Indies*.

Court of directors to deliver to the board copies of all minutes, &c. of courts of proprietors, or directors, as relate to the government or revenues of the territorial possessions, &c.

and shall obey all orders received from the board relative thereto.

XII. And be it further enacted, That, within fourteen days after the receipt of such copies last-mentioned, the said board shall return the same to the said court of directors, with their approbation thereof, subscribed by three of the members of the said board, or their reasons at large for disapproving the same, together with instructions from the said board to the said court of directors in respect thereto; and that the said court of directors shall thereupon dispatch and send the letters, orders, and instructions, so approved or amended, to their servants in *India*, without further delay, unless, on any representation made by the said directors to the said board, the said board shall direct any alterations to be made in such letters, orders, or instructions; and no letters, orders, or instructions, until after such previous communication thereof to the said board, shall at any time be sent or dispatched by the said court of directors to the *East Indies*, on any account or pretence whatsoever.

Copies of letters, &c. to be returned to the directors within 14 days, &c.

XIII. And, for the readier dispatch of the civil and military concerns of the said united company, be it further enacted, That whenever the court of directors of the said united company shall neglect to transmit to the said board their intended dispatches on any subject, within fourteen days after requisition made, it shall and may be lawful to and for the said board to prepare and send to the directors of the *East India* company (without waiting for the receipt of the copies of dispatches intended to be sent to the said court of directors as aforesaid) any orders or instructions to any of the governments or presidencies aforesaid, concerning the civil or military government of the *British* territories and possessions in the *East Indies*; and the said directors shall, and they are hereby required to transmit dispatches in the usual form (pursuant to the tenor of the said orders and instructions

Clause relative to sending dispatches to *India*.

tions

tions so transmitted to them) to the respective governments and presidencies in *India*, unless, on any representation made by the said directors to the said board, touching such orders or instructions, the said board shall direct any alteration to be made in the same; which directions the said court of directors shall in such case be bound to conform to.

Court of directors, on receiving orders from the board not connected with the government and revenues of the territorial possessions, may appeal to his Majesty in council.

XIV. And be it further enacted, That in case the said board shall send any orders or instructions to the said court of directors, to be by them transmitted to *India*, which, in the opinion of the said court of directors, shall relate to points not connected with the civil or military government and revenues of the said territories and possessions in *India*, then, and in any such case, it shall be lawful for the said court of directors to apply, by petition, to his Majesty in council, touching such orders and instructions; and his Majesty in council shall decide whether the same be, or be not, connected with the civil or military government and revenues of the said territories and possessions in *India*; which decision shall be final and conclusive.

Matters requiring secrecy may be sent by the board to the secret committee, who shall transmit their orders to *India* agreeable thereto.

XV. Provided nevertheless, and be it further enacted, That if the said board shall be of opinion that the subject matter of any of their deliberations, concerning the levying of war or making of peace, or treating or negotiating with any of the native princes or states in *India*, shall require secrecy, it shall and may be lawful for the said board to send secret orders and instructions to the secret committee of the said court of directors for the time being, who shall thereupon, without disclosing the same, transmit their orders and dispatches in the usual form, according to the tenor of the said orders and instructions of the said board, to the respective governments and presidencies in *India*; and that the said governments and presidencies shall pay a faithful obedience to such orders and dispatches, and shall return their answers to the same, sealed (under cover) with their respective seals, to the said secret committee, who shall forthwith communicate such answers to the said board.

Directors to appoint a secret committee;

XVI. And be it enacted by the authority aforesaid, That it shall and may be lawful to and for the court of directors of the said united company for the time being, and they are hereby required, from time to time, to appoint a secret committee, to consist of any number of the said directors for the time being, not exceeding three; which secret committee shall, from time to time, upon the receipt of any such secret orders and instructions concerning the levying of war or making of peace, or treating or negotiating with any of the native princes or states of *India*, from the said commissioners for the affairs of *India*, as are herein before mentioned, transmit to every respective governments and presidencies in *India* a duplicate of such orders and instructions, together with a copy in writing, signed by them the members of the said secret committee, to carry the same into execution; and to all such orders and instructions, so transmitted, the several governments and presidencies in *India* are hereby required to pay the same obedience

who are to transmit to the governments in *India* duplicates of such secret orders sent them from the board, &c.

ſcience as if ſuch orders and directions had been iſſued and tranſmitted by the court of directors of the ſaid united company.

XVII. Provided alſo, and be it further enacted and declared by the authority aforeſaid, That nothing in this act contained ſhall extend to give unto the ſaid board, the power of nominating or appointing any of the ſervants of the ſaid united company; any thing herein contained, to the contrary notwithstanding.

The board not to appoint any ſervants of the company.

XVIII. And be it further enacted, That as ſoon as the office of any one of the counſellors of the preſidency of *Fort William in Bengal* (other than the commander in chief) ſhall become vacant, by death, removal, or reſignation, the vacancy ſo happening ſhall not be ſupplied by the ſaid court of directors, but the ſaid ſupreme government ſhall from thenceforward conſiſt of a governor general and three ſupreme counſellors only; and that the commander in chief of the company's forces in *India* for the time being, ſhall have voice and precedence in council next after the ſaid governor general; any thing in any former act of parliament contained to the contrary, notwithstanding.

The firſt vacancy of a counſellor at *Fort William* ſhall not be ſupplied by the court of directors.

XIX. And be it further enacted, That the government of the ſeveral preſidencies and ſettlements of *Fort Saint George* and *Bombay* ſhall, after the commencement of this act, conſiſt of a governor or preſident, and three counſellors only, of whom the commander in chief in the ſaid ſeveral ſettlements for the time being ſhall be one, having the like precedence in council as in the preſidency of *Fort William in Bengal*, unleſs the commander in chief of the company's force in *India* ſhall happen to be preſent in either of the ſaid ſettlements; and in ſuch caſe the ſaid commander in chief ſhall be one of the ſaid counſellors, inſtead of the commander in chief of ſuch ſettlement; and that the ſaid commander in chief of ſuch ſettlement ſhall during ſuch time have only a ſeat, but no voice in the ſaid council.

Clause relative to the government of *Fort St. George*, and *Bombay*.

XX. And be it further enacted, That the court of directors of the ſaid united company ſhall, within the ſpace of one calendar month next after the paſſing of this act, nominate and appoint, from amongſt the ſervants of the ſaid company in *India*, or any other perſons, a fit and proper perſon to be the governor of the ſaid preſidency or ſettlement of *Fort Saint George*, and two other fit and proper perſons from amongſt the ſaid ſervants in *India*, who, together with the commander in chief at *Fort Saint George* for the time being, ſhall be the council of the ſaid preſidency or ſettlement; and that the ſaid court of directors ſhall alſo, in like manner, and within the time aforeſaid, nominate and appoint fit and proper perſons to be the governor and council of the ſaid preſidency or ſettlement of *Bombay*, under the ſame reſtrictions as are herein-before provided in reſpect to the governor or preſident and council of *Fort Saint George*.

Court of directors to appoint a governor and two counſellors of *Fort St. George*;

and a governor, or, &c. of *Bombay*.

XXI. And

Governor general &c. to have the casting vote.

XXI. And be it further enacted, That in case the members present at any of the boards or councils of *Fort William*, *Fort Saint George*, or *Bombay*, shall at any time be equally divided in opinion in respect to any matter depending before them, then and in every such case the said governor general, or the governor or president, as the case may be, shall have two voices, or the casting vote.

His Majesty, by writing under his sign manual, or the directors, by writing under their hands, may recal any governor general, or other officer, from India.

XXII. And be it further enacted, That it shall and may be lawful to and for the King's majesty, his heirs and successors, by any writing or instrument under his or their sign manual, countersigned by the said secretary of state, or for the court of directors of the said united company for the time being, by writing under their hands, to remove or recal the present or any future governor general of *Fort William* at *Bengal*, or any of the members of the council of *Fort William* aforesaid, or any of the governors or presidents, and members of the councils, of the presidencies or settlements of *Fort Saint George* and *Bombay*, or of any other *British* settlements in *India*, or any other person or persons holding any office, employment, or commission, civil or military, under the said united company in *India*, for the time being; and to vacate and make void all and every or any appointment or appointments of any person or persons to any of the offices or places aforesaid; and that all and every the powers and authorities of the respective persons so removed or recalled, or whose appointment shall be so vacated, shall cease or determine at or from such respective time or times as in the said writing or writings shall be expressed and directed: provided always, That a duplicate or copy of every such writing or instrument, under his Majesty's sign manual, attested by the said secretary of state for the time being, shall, within eight days after the same shall be signed by his Majesty, his heirs or successors, be transmitted or delivered, by the said secretary of state, unto the chairman or deputy chairman for the time being of the said united company, to the intent that the court of directors of the said company may be apprized thereof.

How vacancies of offices in India shall be supplied.

XXIII. And be it further enacted, That whenever any vacancy or vacancies of the office of governor general or president, or of any member of the council, shall happen in any of the presidencies aforesaid, either by death, resignation, or recal, as aforesaid, then and in such case the court of directors of the said united company shall proceed to nominate and appoint a fit person or persons to supply such vacancy or vacancies from amongst their covenanted servants in *India*, except to the office of governor general, or the office of governor or president of *Fort Saint George* or *Bombay*, or of any commander in chief, to which several offices the said court of directors shall be at liberty, if they shall think fit, to nominate and appoint any other person or persons respectively.

Commanders in chief not to

XXIV. Provided always, and be it further enacted, That the said commanders in chief, at each of the said presidencies respec-

respectively, shall in no case succeed to the office of governor general or president of *Fort William, Fort Saint George, or of Bombay*, unless thereunto specially appointed by the court of directors of the said united company; but that in case of the vacancy of the said offices of governor general or president respectively, when no person shall be specially appointed to succeed thereunto, the counsellor next in rank to such commander in chief shall succeed to such office, and hold the same, until some other person shall be appointed thereunto by the said court of directors.

succeed to the office of governor general or president at *Fort William, &c.* unless specially appointed by the directors.

XXV. Provided always, and be it further enacted, That when and so often as the court of directors shall not, within the space of two calendar months, to be computed from the day whereon the notification of the vacancy shall have been received by the said court of directors, proceed to supply the same, then and in any such case; and so often as the same shall happen, it shall be lawful for his Majesty, his heirs and successors, to constitute and appoint, by writing under his or their royal sign manual, (under the same restrictions and regulations as are herein-before provided, with respect to the nominations and appointments made by the said court of directors,) such person or persons as his Majesty, his heirs and successors, shall think proper to succeed to and supply the respective office or place, offices or places, so vacant, or from which any person or persons shall be so recalled or removed, or whose appointment or appointments shall have been vacated and made void as aforesaid; and that every person or persons so constituted and appointed, shall have and be invested with the same powers, privileges, and authorities, as if he or they had been nominated and appointed by the said court of directors, and shall be subject to recall only by the King's majesty, his heirs or successors; any thing herein contained to the contrary notwithstanding.

If directors neglect to supply vacancies, his Majesty may do it.

XXVI. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the court of directors of the said united company, if they shall so think fit, subject to the like limitations and restrictions as are herein-before enacted, respecting the persons qualified to be appointed members of the government of the respective settlements of the said united company at *Fort William, Fort Saint George, and Bombay*, to appoint, from time to time, fit and proper persons to succeed, in case of vacancy, to the several offices of governor general or president of *Fort Saint George* or *Bombay*, or commander in chief of the said company's forces at any of the said settlements, or member of any of the said councils; and such appointments respectively, at their pleasure again to revoke; but that no person so appointed to succeed to any of the said offices, in case of vacancy, shall be entitled to any salary, advantage, or allowance whatsoever, by reason of such appointment, until such persons respectively shall take upon themselves the offices to which they shall so respectively have been appointed.

Directors may appoint eventual successors to the offices of governor general or president, &c. of *Fort St. George* or *Bombay*.

XXVII. And be it further enacted by the authority aforesaid,

Temporary
counsellors
now to be ap-
pointed at
Fort William
&c.

said, That when and so often as the number of members of any of the said councils of *Fort William*, *Fort Saint George* or *Bombay*, shall, by death, or absence, by reason of sickness or otherwise, for fourteen days be reduced to two, including the governor general or president of such council, the person who shall stand senior in such provisional appointment as is herein-before mentioned, or in case there shall be no such appointment, then the senior civil servant of the said company upon the spot, shall be called to such council; and shall have a voice therein in like manner as if he had been appointed thereunto by the court of directors of the said company, and shall hold such office in case the vacancy shall have happened by death, until a successor thereunto shall be appointed by the said court of directors; or if such vacancy shall have happened by absence or sickness, until the return or recovery of such sick or absent member; and that all persons so exercising the office of a counsellor at any of the said presidencies shall be intitled, for the time he shall so hold the same, to the like advantages, as if he had been thereunto permanently appointed by the said court of directors.

Resignation of
the office of
governor
general, &c.
to be in writing.

XXVIII. And be it further enacted, That no resignation to be made of the offices of the governor general, or governor or president of any of the subordinate settlements, or commander in chief, or member of the respective councils of any of the said presidencies in *India*, shall be deemed or construed to be legal or valid, or shall be accepted as such, unless the same be made by an instrument in writing under the hand of the officer or person resigning the same.

Orders, &c. of
the court of
directors, ap-
proved by the
board, not to
be revoked by
general
vout.

XXIX. And be it further enacted, That no order or resolution of any general court of the proprietors of the said united company shall be available to revoke or rescind, or in any respect to affect, any act, order, resolution, matter, or proceeding, of the said court of directors, by this act directed or authorised to be made or done by the said court, after the same shall have been approved by the said board, in the manner herein-before directed; any law or usage to the contrary notwithstanding.

Part of act 11
Geo. 3. c. 65,
repealed.

XXX. And be it further enacted, That so much and such parts of an act, made in the twenty-first year of the reign of his present Majesty, as directs the court of directors of the said united company to deliver to the commissioners of the treasury or to the high treasurer for the time being, or to one of his Majesty's principal secretaries of state, copies of any letters or orders relating to the management of the revenues, or the civil and military affairs of the said company; and also all such powers and authorities given to or vested in the proprietors and directors of the said united company, or in any general or special court thereof respectively, in and by any act of parliament or charter, as are contrary or repugnant to this act, or any thing herein contained, shall be, and the same are hereby repealed; any thing contained in any act or charter, or any custom or usage to the contrary notwithstanding.

XXXI. And

XXXI. And be it further enacted, That the governor general and council of *Fort William* aforeſaid ſhall have power and authority to ſuperintend, controul, and direct the ſeveral preſidencies and governments now or hereafter to be ereſted or eſtabliſhed, in the *East Indies* by the ſaid united company, in all ſuch points as relate to any tranſactions with the country powers, or to war or peace, or to the application of the revenues or forces of ſuch preſidencies and ſettlements in time of war, or any ſuch other points as ſhall, from time to time, be ſpecially referred by the court of directors of the ſaid company to their ſuperintendance and controul.

Governor general and council of *Fort William*, in certain points, to controul all the other governments be-
longing to the company.

XXXII. And, in order to prevent the embarraſſment and difficulty which may ariſe from any queſtion, whether the orders or inſtructions of the governor general and council of *Fort William* relate to other points than thoſe aforeſaid, be it further enacted, That notwithstanding any doubt which may be entertained by the ſaid preſidencies or ſettlements to whom ſuch orders or inſtructions ſhall be given, reſpecting the power of the governor general and council to give ſuch orders, yet the ſaid preſidencies or ſettlements ſhall be bound to obey ſuch orders and directions of the ſaid governor general and council in all caſes whatever, except only where they ſhall have received poſitive orders and inſtructions from the ſaid court of directors, or from the ſecret committee of the ſaid court of directors, repugnant to the orders and inſtructions of the ſaid governor general and council, and not known to the ſaid governor general and council at the time of diſpatching their orders and inſtructions as aforeſaid; and the ſaid governor general and council ſhall, at the time of tranſmitting all ſuch orders and inſtructions, tranſmit therewith the dates of, and the times of receiving, the laſt diſpatches, orders, and inſtructions which they have received from the court of directors, or from the ſecret committee of the ſaid court of directors, on any of the points contained therein: and the ſaid preſidencies and governments, in all caſes where they have received any orders from the ſaid court of directors, or from the ſecret committee of the ſaid court of directors, as aforeſaid, which they ſhall deem repugnant to the orders of the ſaid governor general and council of *Fort William*, and which were not known to the ſaid governor general and council at the time of diſpatching their orders and inſtructions as aforeſaid, ſhall forthwith tranſmit copies of the ſame, together with an account of all reſolutions or orders made by them in conſequence thereof, to the governor general and council of *Fort William*, who ſhall, after the receipt of the ſame, diſpatch ſuch further orders and inſtructions to the ſaid preſidencies and ſettlements as they may judge neceſſary thereupon.

Directions relative to orders iſſued from *Fort William* to the other governments.

XXXIII. And be it further enacted, That the governor general and council of *Fort William* aforeſaid, and the ſeveral preſidents and counſellors of *Fort Saint George* and *Bombay*, ſhall, at their ſeveral and reſpective boards and councils, proceed, in the firſt place, to the conſideration of ſuch queſtions and buſineſs as ſhall be propoſed by the ſaid governor general or preſi-

Directions reſpecting the conſideration of buſineſs at the ſeveral boards in India.

dents reſpectively; and when and ſo often as any matter or queſtion ſhall be propounded at any of the ſaid boards or councils, by any of the counſellors thereof, it ſhall be competent to the ſaid governor general and preſidents reſpectively, to poſt-pone or adjourn the diſcuſſion of the matter or queſtion ſo propounded to a future day: provided always, That no ſuch adjournment ſhall exceed forty-eight hours, nor ſhall the matter or queſtion ſo propoſed be adjourned more than twice, without the conſent of the counſellor who originally propoſed the ſame.

Governor general, &c. of Fort William not to declare war againſt any Indian power, unleſs authorized by the directors. (Exception.)

XXXIV. *And whereas, to purſue ſchemes of conqueſt and extension of dominion in India, are meaſures repugnant to the wiſh, the honour, and policy of this nation;* be it therefore further enacted by the authority aforeſaid, That it ſhall not be lawful for the governor general and council of *Fort William* aforeſaid, without the expreſs command and authority of the ſaid court of directors, or of the ſecret committee of the ſaid court of directors, in any caſe (except where hoſtilities have actually been commenced, or preparations actually made for the commencement of hoſtilities, againſt the *British* nation in *India*, or againſt ſome of the princes or ſtates dependant thereon, or whoſe territories the ſaid united company ſhall be at ſuch time engaged by any ſubſiſting treaty to defend or guaranty) either to declare war or commence hoſtilities, or enter into any treaty for making war, againſt any of the country princes or ſtates in *India*, or any treaty for guarantying the poſſeſſions of any country princes or ſtates; and that in ſuch caſe it ſhall not be lawful for the ſaid governor general and council to declare war or commence hoſtilities, or enter into treaty for making war, againſt any other prince or ſtate than ſuch as ſhall be actually committing hoſtilities, or making preparations as aforeſaid, or to make ſuch treaty for guarantying the poſſeſſions of any prince or ſtate, but upon the conſideration of ſuch prince or ſtate actually engaging to aſſiſt the company againſt ſuch hoſtilities commenced, or preparations made as aforeſaid; and in all caſes where hoſtilities ſhall be commenced or treaty made, the ſaid governor general and council ſhall, by the moſt expeditious means they can deviſe, communicate the ſame unto the ſaid court of directors, together with a full ſtate of the information and intelligence upon which they ſhall have commenced ſuch hoſtilities, or made ſuch treaties, and their motives and reaſons for the ſame at large.

No governor or preſident, &c. of any ſubordinate ſettlement ſhall iſſue any order for levying war, &c. (except in caſes of emergency) unleſs by order of the governor

XXXV. And be it further enacted, That it ſhall not be lawful for the governors or preſidents, and counſellors, of *Fort Saint George* and *Bombay*, or of any other ſubordinate ſettlement reſpectively, to make or iſſue any order for commencing hoſtilities, or levying war, or to negotiate or conclude any treaty of peace, or other treaty, with any *Indian* prince or ſtate (except in caſes of ſudden emergency or imminent danger, when it ſhall appear dangerous to poſt-pone ſuch hoſtilities or treaty) unleſs in purſuance of expreſs orders from the ſaid governor general and council of *Fort William* aforeſaid, or from the ſaid court

court of directors, or from the ſecret committee of the ſaid court of directors; and every ſuch treaty ſhall, if poſſible, contain a clauſe for ſubjecting the ſame to the ratification or rejection of the governor general and council of *Fort William* aforeſaid: and the ſaid preſidents and counſellors of the ſaid preſidencies and ſettlements of *Fort Saint George* and *Bombay*, or other ſubordinate ſettlement, are hereby required to yield due obedience to all ſuch orders as they ſhall from time to time reſpectively receive from the ſaid governor general and council of *Fort William* aforeſaid, concerning the premiſes.

XXXVI. And be it further enacted, That all and ſingular the ſaid preſidents and counſellors who ſhall wilfully reſuſe to pay due obedience to ſuch orders and inſtructions as they ſhall receive from the ſaid governor general and council of *Fort William*, as aforeſaid, ſhall be liable to be ſuſpended from the exerciſe of their reſpective offices or powers, by order of the ſaid governor general and council of *Fort William*; and all and every of them are hereby further required, conſtantly and diligently to tranſmit to the ſaid governor general and council of *Fort William* aforeſaid, true and exact copies of all orders, reſolutions, and acts in council, of their reſpective governments, preſidencies, and councils, and alſo advice and intelligence of all tranſactions and matters which ſhall come to their knowledge, material to be communicated to the governor general and council of *Fort William* aforeſaid, or which the ſaid governor general and council ſhall from time to time require.

XXXVII. And whereas very large ſums of money are claimed to be due to Britiſh ſubjects by the nabob of Arcot, in the recovery whereof it is expedient that ſuch aſſiſtance ſhould be given them as ſhall be conſiſtent with the rights of the ſaid united company, the ſecurity of the creditors, and the honour and dignity of the ſaid nabob; be it enacted, That the court of directors of the ſaid company ſhall, as ſoon as may be, take into conſideration the origin and juſtice of the ſaid demands, as far as the materials they are in poſſeſſion of ſhall enable them to do; and that they ſhall give ſuch orders to their preſidencies and ſervants abroad for completing the investigation thereof, as the nature of the caſe ſhall require, and for eſtabliſhing, in concert with the ſaid nabob, ſuch fund for the diſcharge of thoſe debts which ſhall appear to be juſtly due, according to their reſpective claims of priority, as ſhall be conſiſtent with the rights of the ſaid united company, the ſecurity of the creditors, and the honour and dignity of the ſaid nabob.

XXXVIII. And, for ſettling upon a permanent foundation the preſent indeterminate rights and pretenſions of the nabob of Arcot and the rajah of Tanjore, with reſpect to each other, be it further enacted by the authority aforeſaid, That the court of directors of the ſaid united company ſhall take into their immediate conſideration the ſaid indeterminate rights and pretenſions, and take and purſue ſuch meaſures as in their judgement and diſcretion ſhall be beſt calculated to aſcertain and ſettle the ſame, ac-

general, &c.
of Fort Wil-
liam, or the
court of direc-
tors.

Subordinate
preſidents and
counſellors
diſobeying the
orders of the
ſaid governor
general, &c.
may be ſuſ-
pended.

They are to
tranſmit co-
pies of all acts
in council to
the ſaid go-
vernor gene-
ral, &c.

Court of di-
rectors to take
into conſider-
ation the de-
mands of
Britiſh ſub-
jects on the
nabob of
Arcot;

and alſo the
diſputes be-
tween the ſaid
nabob and the
rajah of Tan-
jore.

cording to the principles and the terms and stipulations contained in the treaty of one thousand seven hundred and sixty-two, between the said nabob and the said rajah.

XXXIX. *And whereas complaints have prevailed, that divers rajahs, zemindars, polygars, talookdars, and other native landholders within the British territories in India, have been unjustly deprived of, or compelled to abandon and relinquish, their respective lands, jurisdictions, rights, and privileges, or that the tributes, rents, and services required to be by them paid or performed for their respective possessions to the said united company, are become grievous and oppressive: and whereas the principals of justice, and the honour of this country require that such complaints should be forthwith inquired into and fully investigated, and if founded in truth effectually redressed:*

Complaints of rajahs, zemindars, &c. to be taken into consideration by the directors,

and their grievances redressed.

be it therefore enacted, That the court of directors of the said united company shall, and they are hereby accordingly required, forthwith to take the said matters into their serious consideration, and to adopt, take, and pursue such methods for enquiring into the causes, foundation, and truth of the said complaints, and for obtaining a full and perfect knowledge of the same, and of all circumstances relating thereto, as the said court of directors shall think best adapted for that purpose; and thereupon, according to the circumstances of the respective cases of the said rajahs, zemindars, polygars, talookdars, and other native landholders, to give orders and instructions to the several governments and presidencies in *India*, for effectually redressing, in such manner as shall be consistent with justice and the laws and customs of the country, all injuries and wrongs which the said rajahs, zemindars, polygars, talookdars, and other native landholders, may have sustained unjustly in the manner aforesaid, and for settling and establishing, upon principles of moderation and justice, according to the laws and constitution of *India*, the permanent rules by which their respective tributes, rents, and services, shall be in future rendered and paid to the said united company, by the said rajahs, zemindars, polygars, talookdars, and other native landholders.

All the company's establishments, civil or military, in *India*, to be taken into consideration by the directors, who shall make all practicable retrenchments and reductions therein.

XL. *And, to the end and intent that the British establishments in India, as well civil as military, may be regulated and improved, for the greater security of the state, the advantage of the service, and the benefit of the said united company;* be it enacted by the authority aforesaid, That the directors of the *East India* company shall take into their immediate consideration the respective establishments, civil and military, of their several presidencies and settlements in *India*, and give such orders as the case will admit, for every practicable retrenchment and reduction in the same; and shall also require, from the said settlements and presidencies respectively, such farther information as may be necessary to furnish them with a knowledge of the state of such establishments, together with full, minute, accurate, and particular lists and accounts to be stated, of all the offices and employments on the civil establishment of the said united company in *India*, and of all the forces within the several *British* settlements

in

in the pay or ſervice of the ſaid united company in *India*, diſtinguiſhing the different bodies, nations, or people which compoſe the ſame, and the ſalaries and emoluments appertaining to all and every of the ſaid offices and employments, and the pay and emoluments of the commiſſioned and non-commiſſioned officers, and private men in the army there, as well in peace as in war, together with the opinions of the reſpective governments and preſidencies, what method or ſyſtem can be adopted, for the better regulation as well of the ſaid offices and employments as of the ſaid forces, for retrenching unneceſſary expences, and for introducing a juſt and laudable œconomy in every branch of the ſaid civil and military departments: and the court of directors of the ſaid united company ſhall, as ſoon as may be after the receipt of the ſaid liſts and accounts, take the ſame into their conſideration, and thereupon, by their order, declare what offices, places, and employments, as well civil as military, will in their judgement be adequate to the ſupport of the honour and dignity of this kingdom in the *East Indies*, and the ſafety, defence, and ſecurity of the *British* poſſeſſions there; and make and tranſmit to the ſaid preſidencies and ſettlements complete and perfect liſts of the ſaid offices, places, and employments; and ſpecify and direct the rate and quantum of the reſpective pay, ſalaries, and emoluments to be hereafter allowed in reſpect thereof by the ſaid united company, as well in peace as in war: and the ſaid court of directors ſhall, and they are hereby required, within fourteen days after the commencement of every ſeſſion of parliament, to bring before the two houſes of parliament a perfect liſt of all offices, places, and employments, in the civil and military eſtabliſhments of the ſaid united company in the *East Indies*, with the ſalaries or pay, and emoluments belonging thereto, or allowed or paid by the ſaid company in reſpect thereof.

A liſt of all offices, &c. in the company's eſtabliſhments in *India*, to be laid before the two houſes of parliament.

XLI. And be it further enacted, That until the ſaid ſeveral liſts of the offices, places, and employments ſhall have been made and eſtabliſhed as aforeſaid, the ſaid court of directors ſhall be, and they are hereby prohibited from appointing or ſending to *India* any new ſervant, civil or military, under the degrees of the reſpective counſellors and commanders in chief; and after ſuch liſts ſhall have been perfected and eſtabliſhed, the ſaid court of directors ſhall in no wiſe appoint or ſend out any greater number of perſons to be cadets or writers, or in any other capacity, than will be actually neceſſary, in addition to the perſons on the ſpot, to ſupply and keep up the proper complement or number of officers and ſervants contained in the ſaid liſts, according to ſuch returns of vacancies as the proper officers of the ſaid company ſhall, from time to time, tranſmit from *India* to the ſaid court of directors.

Reſtrictions on the directors relative to ſending new ſervants to *India*.

XLII. And be it further enacted, That, from and after the commencement of this act, all promotions and advancements of the officers and ſervants of the ſaid united company in *India*, as well civil as military, in their reſpective lines or profeſſions,

Regulations relative to promotions of officers, &c. in *India*.

under the degrees of the reſpective counſellors and commanders in chief, ſhall be made according to ſeniority of appointment, in a regular progreſſive ſucceſſion, unleſs any of the ſaid governments and preſidencies ſhall, on any very urgent occaſion, by a vote in council, ſee cauſe to deviate from the ſaid general rule hereby directed to be obſerved; and on every ſuch occaſion the ſaid government or preſidency ſhall cauſe a full and perfect entry to be made upon their minutes of conſultation, ſpecifying all the circumſtances of the caſe, and their reaſons and inducements at large for making ſuch deviation, and ſhall tranſmit the ſame to the ſaid court of directors, by the firſt opportunity that ſhall occur, for their order and direction therein; and that all nominations and appointments to be made repugnant or contrary to the directions of this act, whether the ſame ſhall be made by the court of directors of the ſaid united company, or by any of the ſaid governments or preſidencies, (ſave and except in caſes of urgency as aforeſaid,) ſhall be null and void.

At what age
cadets may be
ſent to India.

XLIII. And be it further enacted, That from and after the paſſing of this act, no perſon ſhall be capable of acting, or of being appointed or ſent out by the ſaid court of directors to the *Eaſt Indies*; in the capacity of a writer or cadet, whoſe age ſhall be under fifteen years, or ſhall exceed the age of twenty-two years; and that no perſon ſhall be capable of acting, or of being appointed or ſent out in either of ſuch capacities, until he ſhall have procured and left with the ſecretary of the ſaid united company, or of the ſaid court of directors, a certificate of his age, under the hand of the miniſter of the pariſh in which he was baptized, or keeper of the registry of the ſame; and that when no ſuch registry ſhall exiſt or can be found, an affidavit of that fact ſhall be made by the party, with his information and belief that his age is not leſs than fifteen years, and doth not exceed twenty-two years; and ſuch affidavit ſhall and may, if the ſaid court of directors ſhall ſo think fit, be received and left with the ſaid ſecretary in the ſtead of ſuch certificate: provided that nothing herein contained ſhall extend to prevent the ſaid court of directors from appointing any perſons to be cadets, who ſhall have actually been one whole year commissioned officers in his Majeſty's ſervice, or in the militia, or fencible men, when embodied and called out into actual ſervice, or from the company of cadets in the royal regiment of artillery, and whoſe age ſhall not exceed twenty-five years.

British ſubjects
amenable to
juſtice for all
acts done in
India.

XLIV. And be it further enacted, That all his Majeſty's ſubjects, as well ſervants of the ſaid united company as others, ſhall be, and are hereby declared to be, amenable to all courts of juſtice (both in *India* and *Great Britain*) of competent jurisdiction to try offences committed in *India*, for all acts, injuries, wrongs, oppreſſions, treſpaſſes, miſdemeanors, crimes, and offences whatſoever, by them or any of them done, or to be done or committed, in any of the lands or territories of any native prince or ſtate, or againſt their perſons or properties, or
the

the persons or properties of any of their subjects or people, in the same manner as if the same had been done or committed within the territories directly subject to and under the *British* government in *India*.

XLV. And be it further enacted, That the demanding or receiving of any sum of money, or other valuable thing, as a gift or present, or under colour thereof, whether it be for the use of the party receiving the same, or for, or pretended to be for, the use of the said company, or of any other person, whomsoever, by any *British* subject holding or exercising any office or employment under his Majesty, or the said united company in the *East Indies*, shall be deemed and taken to be extortion, and shall be proceeded against and punished as such, under and by virtue of this act; and the offender shall also forfeit to the King's majesty, his heirs and successors, the whole gift or present so received, or the full value thereof.

Receiving of presents to be deemed extortion, and punished as such.

XLVI. Provided always, and be it further enacted, That the court or jurisdiction before whom every such offence shall be tried, shall have full power and authority to direct the said present or gift, or the value thereof, to be restored to the party who gave the same, or to order the whole, or any part thereof, or of any fine which the court shall set on the offender, to be paid or given to the prosecutor or informer, as such court in its discretion shall think fit.

Court may order presents to be returned, &c.

XLVII. And be it further enacted, That so much of the aforelaid act of the thirteenth year of the King's majesty's reign, as subjects any person receiving or accepting gifts or presents to any penalty or forfeiture for so doing, or as directs that such gifts, presents, penalties, or forfeitures, shall belong to the said company, shall be repealed, from and after the first day of *January*, one thousand seven hundred and eighty-five: provided that no prosecutions or other suits, already commenced, or to be commenced before the first day of *January*, one thousand seven hundred and eighty-five, upon the said act, shall be affected by such repeal.

Part of act 13 Geo. 3. c. 63. repealed.

XLVIII. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to prohibit or prevent any person exercising the profession of counsellor at law, physician, or surgeon, or any chaplain, from accepting, taking, or receiving fees, gratuities, or rewards, (*bona fide*), in the way of his profession only.

Counsellors, physicians, &c. not prohibited from taking fees.

XLIX. And be it further enacted, That the wilful disobeying, or the wilfully omitting to execute the orders or instructions of the court of directors of the said united company, by any of the officers or servants of the said united company in the *East Indies*, (unless in cases of necessity, the burthen of the proof of which necessity shall be on the party so disobeying or omitting to execute such orders and instructions as aforelaid), and every wilful breach of the trust and duty of any office or employment under the said united company, by any of the officers or servants of the said united company in the *East Indies*, shall be deemed

Disobeying the orders of the directors,

deemed and taken to be a miſdemeanor at law, and ſhall be proceeded againſt and puniſhed as ſuch by virtue of this act.

or making
any corrupt
bargain to
obtain, &c.
any office un-
der the com-
pany in India,
to be puniſhed
as a miſde-
meanor.

L. And be it further enacted by the authority aforeſaid, That the making or entering into, or being a party to any corrupt bargain or contract, for the giving up, or for obtaining, or in any other manner touching or concerning the truſt and duty of any office or employment under the ſaid united company in the *East Indies*, by any *British* ſubjects whomſoever there reſident, ſhall be deemed and taken to be a miſdemeanor at law, and ſhall be proceeded againſt and proſecuted as ſuch by virtue of this act.

Company's
ſervants diſ-
miſſed by any
competent
court, not to
be reſtored,
&c.

LI. And be it further enacted, That after ſentence or judgement of any court having competent juriſdiction, whether in *Great Britain* or in *India*, againſt any of the ſaid united company's ſervants, civil or military, for any debt or penalty due or belonging to the ſaid united company, or for any extortion or other miſdemeanor, it ſhall not be lawful for the ſaid united company, upon any pretence whatſoever, to reſeal or compound ſuch ſentence or judgement, or to reſtore any ſervant or ſervants of the ſaid company, who ſhall have been removed or diſmiſſed from his or their office or employment, for or on account of miſbehaviour, by the ſentence of any of the ſaid courts.

Company's
revenue offi-
cers (being
British born
ſubjects) to
be ſworn.

LII. And, for the remedying of the abuſes which have prevailed in the collection and receipt of the revenues of the ſaid united company, be it further enacted by the authority aforeſaid, That every perſon (being a *British* born ſubject) who is or ſhall be appointed or authoriſed to collect, manage, controul, or receive the rents, duties, or revenues of and belonging, and due and payable to the ſaid united company, ſhall, before he enters upon the collection and receipt thereof, take and ſubſcribe the following oath; which oath the chief juſtice, or one of the puisne judges or the ſupreme court of judicature at *Bengal*, or the mayor or other magiſtrate in any of the other preſidencies or ſettlements, ſhall, and is hereby authorized and commanded to adminiſter; and ſuch oath, ſo adminiſtered, ſhall be recorded in the ſupreme court at *Calcutta*, or in one of the ſaid provincial or mayor's courts; (that is to ſay);

The oath.

I A. B. do promiſe and ſwear, That I will, to the utmoſt of my endeavours, well and faithfully execute and diſcharge the duties of an officer of revenue, repoſed in and committed to me by the united company of merchants of England trading to the *East Indies*; and that I will not demand, take, or accept, directly or indirectly, by myſelf, or by any other perſon for my uſe or on my behalf, of or from any *rajah*, *zemindar*, *talookdar*, *polygar*, *renter*, *ryot*, or other perſon, paying or liable to pay any tribute, rent, or tax, to or for the uſe of the ſaid united company, any ſum of money, or other valuable thing, by way of gift, preſent, or otherwiſe, over and above, or beſides and except, the actual tribute, rent, or tax, authorized to be taken by and for the uſe of the ſaid united company; and that I will juſtly

justly and truly account and answer for the same to the said united company.

So help me G O D.

LIII. And be it further enacted, That it shall and may be lawful for the governor general of *Fort William* aforesaid for the time being, to issue his warrant under his hand and seal, directed to such peace officers and other persons as he shall think fit, for securing and detaining in custody any person or persons suspected of carrying on, mediately or immediately, any illicit correspondence, dangerous to the peace or safety of the settlement, or of the *British* possessions in *India*, with any of the princes, rajahs, zemindars, or other person or persons whomsoever having authority in *India*, or with the commanders, governors, or presidents of any factories established in the *East Indies* by any *European* power, contrary to the rules and orders of the said company, or of the governor general and council of *Fort William* aforesaid; and if, upon examination, taken upon oath, in writing, of any person or persons (other than the person so secured and detained) before the governor general and council of *Fort William* aforesaid, there shall appear reasonable grounds for the charge, the said governor general shall be, and is hereby authorized and empowered to commit such person or persons above described to safe custody, and shall within a reasonable time, not exceeding five days, cause to be delivered to him or them the charge or accusation on which he has or they have been committed; and the party so confined shall be permitted to deliver in his defence in writing, together with a list of such witnesses as he shall desire to be examined in support of his defence, who shall be examined accordingly in his presence, and their examinations taken down in writing; and if, notwithstanding such defence, there shall appear to the said governor general and council reasonable grounds for the former proceeding, and for continuing the confinement, the party shall remain in custody until he or they shall be brought to trial in *India*, or sent to *England* for that purpose; and that all such examinations and proceedings shall be transmitted to the said court of directors by the first dispatches; and in case such person or persons are to be sent to *England*, the said governor general shall, and he is hereby required to cause such person or persons to be sent by the first convenient opportunity unless such person or persons shall be disabled by illness from undertaking the voyage.

Governor general of *Fort William* may issue his warrant for securing any person suspected of carrying on illicit correspondence, &c.

and may commit him.

If the party accused cannot exculpate himself, he shall remain in custody till trial.

LIV. And be it further enacted, That the several presidencies and governments of *Fort Saint George* and *Bombay*, shall have the like powers, and subject to the same regulations and restrictions, to secure and detain persons suspected of any such illicit correspondence as aforesaid, within their respective presidencies and settlements, as are hereby given to the said governor general and council of *Fort William*.

Presidencies of *Fort Saint George* and *Bombay* to have similar powers.

LV. And, for the better preventing, or more easily punishing, the misconduct

Company's servants, within two months after returning to Great Britain, to deliver in upon oath, before the barons of the exchequer, duplicates of an inventory of their real and personal estates at the time of their arrival :

misconduct of the servants of the said united company, employed in the settlements or affairs of the said company in India, by a discovery of their estates and property on their return to Great Britain; be it further enacted, That every person now being, or who shall hereafter be, in the service of the said united company in India, shall, within the space of two calendar months after his returning to Great Britain, deliver in upon oath, before the lord chief baron of his Majesty's court of exchequer in England, or any two of the other barons of the said court for the time being respectively (which oath the said lord chief baron, and other barons, are hereby respectively authorized to administer), duplicates of an exact particular or inventory of all and singular the lands, tenements, hereditaments, goods, chattels, debts, monies, securities for money, and other real and personal estate and property whatsoever, as well in Europe as in Asia, or elsewhere, which such person was seised or possessed of, or intitled unto, at the time of his arrival in Great Britain, in his own right, or which any person or persons was or were seised or possessed of in trust for him, or to or for his use or benefit, at the time of his said arrival in Great Britain, or at any time after, specifying what part thereof was not acquired, or purchased by property acquired, in consequence of his residence in the East Indies: and if any of the real or personal estate or property of any such person shall have been conveyed, alienated, transferred, or otherwise disposed of, after his said arrival in Great Britain, then such person shall also, in and by his said particular or inventory, set forth an accurate description and specification of all such parts of his said real or personal estate and property as shall have been so conveyed, transferred, or disposed of, and how, and in what manner, and to whom, and at what time, and for what price or consideration, the same shall have been so conveyed, alienated, transferred, or disposed of, respectively.

One of which duplicates to be delivered to the King's remembrancer, and kept as a publick record; and the other to the chairman of the court of directors, for the inspection of the proprietors. Complaints against such inventories may be made within three years, and proceedings had thereon.

LVI. And be it further enacted, That the lord chief baron, or other barons of the said court of exchequer, to whom any such particular or inventory shall be delivered upon oath, in pursuance of this act, shall, as soon as conveniently may be after the same shall have been received by him or them, deliver one of the said duplicates to the King's remembrancer of the said court, to be by him filed and recorded in the said court as a publick record; and the other duplicate thereof to the chairman of the court of directors of the said united company for the time being, to be deposited and kept amongst the publick archives and papers of the said united company, for the inspection and perusal of the members and proprietors of the said united company: and in case any complaint shall, within three years after the delivering of such particular or inventory, be made by the said board for the affairs of India, or by the court of directors of the said united company, or by any ten or more members or proprietors of the said company, whose share or interest in the capital stock of the said united company shall amount conjunctively to ten thousand pounds at the least, by memorial

Memorial or petition to the ſaid court of exchequer, or by the motion of counſel in the ſaid court, that any ſuch particular or inventory is untrue, evaſive, uncertain, or inſufficient, or that it doth not contain the whole account of the real and perſonal eſtate and property of the perſon delivering the ſame; and it ſhall appear, to the ſatisfaction of the ſaid court of exchequer, either by inſpection of any ſuch particular or inventory, or upon the affidavit of any credible perſon or perſons, that there is reaſonable cauſe to ſuſpect that any ſuch particular or inventory doth not ſpecify and diſcloſe an account and deſcription of the whole eſtate and property, as well real as perſonal, of the perſon delivering the ſame, according to the true intent and meaning of this act; then it ſhall and may be lawful for the ſaid court of exchequer, by their order, to cauſe the perſon who ſhall have delivered in ſuch particular or inventory, at ſuch time or times as the ſaid court ſhall for that purpoſe direct, to go before the King's remembrancer of the ſaid court, or his deputy for the time being, and be by him examined upon oath (which oath the ſaid remembrancer, or his deputy, is hereby impowered and required to adminiſter) upon ſuch interrogatories, touching and concerning the ſaid real and perſonal eſtate and property of ſuch perſon, or the diſpoſal thereof, as the ſaid court ſhall think meet; and the ſaid court ſhall, if need be, cauſe ſuch perſon to be attached by the ſheriff, by any proceſs or warrant from the ſaid court, and kept in the ſafe cuſtody of ſuch ſheriff, or in ſuch priſon as the ſaid court ſhall direct, until he ſhall have fully answered the ſaid interrogatories, to the ſatisfaction of the ſaid court.

LVII. And be it further enacted, That in caſe any perſon, by this act required to deliver duplicates of ſuch particular or inventory as aforeſaid, ſhall neglect to deliver the ſame within the time herein-before for that purpoſe limited, or ſhall not ſubmit to be examined, and fully answer any ſuch interrogatories as aforeſaid, or if it ſhall appear that he hath been guilty of any concealment or omiſſion, or untrue ſpecification of any part of his eſtate or property, real or perſonal, by this act directed to be ſet forth and ſpecified in ſuch particular or inventory, to the amount or value of two thouſand pounds, ſuch perſon, on being thereof convicted by due courſe of law, ſhall forfeit all his lands, tenements, and hereditaments, monies, ſecurities for money, debts, goods, and chattels, and other his real and perſonal eſtate whatſoever, and whereſoever; one moiety whereof ſhall belong to our ſovereign lord the King, his heirs and ſucceſſors, and the other moiety thereof ſhall belong to the ſaid united company (ſubject nevertheless to ſuch allowance, to perſons making any diſcovery thereof, as herein-after is mentioned); and ſhall and may be recovered by the King's majeſty, his heirs or ſucceſſors, or by the ſaid company, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, or wager of law, ſhall be allowed, nor more than one imparlance; and ſuch perſon ſhall moreover ſuffer imprifonment for

Perſons making default in delivering ſuch authentic inventories, or in answering interrogatories, to forfeit their whole eſtates both real and perſonal.

Offender to be imprisoned, and ſhall be incapacitated. for ſuch time as the ſaid court of exchequer ſhall in their diſcretion think fit, without bail or mainprize; and ſuch perſon ſhall be alſo incapable of ſerving the ſaid united company in any capacity whatſoever.

Not to extend to any perſon who ſhall arrive before Jan. 1, 1787. LVIII. Provided always, and be it declared and enacted, That nothing herein contained ſhall extend to compel any perſon, who ſhall arrive from *India* in *Great Britain* on or before the firſt day of *January*, one thouſand ſeven hundred and eighty-ſeven, to deliver any ſuch particular or inventory as aforeſaid.

In caſe of ſickneſs of any ſuch perſon, within the ſaid two months, LIX. And be it further enacted by the authority aforeſaid, That in caſe of the ſickneſs of any ſuch perſon or perſons as by this act are required, within two months after their reſpective arrival in *Great Britain*, to give in an inventory of their reſpective effects, it ſhall and may be lawful to and for any baron of the ſaid court of exchequer, upon proof of ſuch ſickneſs made to his ſatisfaction, from time to time to grant ſuch further time for giving in ſuch inventory, as the ſaid baron ſhall in his diſcretion think fit.

or at the time of his leaving India, a further time to be allowed. LX. And whereas it may happen, that perſons engaged in trade in *India*, may by ſickneſs be obliged to leave *India* ſo ſuddenly, as to put it out of their power ſo to ſettle their affairs as to be able to give in the inventory by this act required within two months after their arrival; be it further enacted by the authority aforeſaid, That upon proof of ſuch fact, to the ſatisfaction of any baron of the court of exchequer, it ſhall and may be lawful for the ſaid baron to grant ſuch further time for delivering in ſuch inventory, as the nature of the caſes reſpectively ſhall to him appear to require.

Any perſon who, within three years after the delivery of any ſuch inventory, ſhall make diſcovery, before a baron of the exchequer, of any eſtate or effects concealed, ſhall be allowed 10 per cent. of the value thereof. LXI. And be it further enacted, That any perſon who ſhall, within the ſpace of three years next after the delivery of any ſuch particular or inventory as aforeſaid, voluntarily come before the ſaid lord chief baron, or any one of the barons of the ſaid court of exchequer, and make diſcovery upon oath, of any part of the eſtate or property, real or perſonal, of any perſon delivering ſuch inventory, which ſhall have been concealed, and not therein or thereby, or in any ſubſequent examination, ſpecified, diſcloſed, or deſcribed, ſhall, upon conviction of the perſon who delivered ſuch inventory, be allowed after the rate of ten pounds *per centum*, according to the value of the eſtate or effects ſo diſcovered, whereſoever the ſame ſhall be, in *Great Britain*, or the *British* territorial poſſeſſions in the *East Indies*; which allowance, *ad valorem*, ſhall be paid to ſuch diſcoverer out of the net proceeds of ſuch eſtate or effects which ſhall be diſcovered by his means as aforeſaid.

Lands, tenements, &c. forfeited by virtue of this act, to be ſold by order of the court of exchequer. LXII. And be it further enacted, That all and every the lands, tenements, and hereditaments, goods, chattels, monies, and other perſonal eſtate, of what kind or nature ſoever, which ſhall be forfeited and recovered, by virtue of this act, of and from any perſon or perſons, by reaſon of his or their neglect or reſuſal to deliver any ſuch particular or inventory as aforeſaid, or

or by the making of any imperfect or untrue disclosure and discovery of his estate and effects, according to the true intent and meaning of this act, shall be sold and disposed of, by the order and authority of his Majesty's said court of exchequer, and the monies therefrom arising shall be paid and applied, under the order and authority of the said court, to the use of the several persons intitled thereto, according to the directions and true intent of this act.

LXIII. And be it further enacted, That no person or persons whatsoever, who shall have been appointed to any civil or military station, office, or capacity whatsoever, in the *East Indies*, by the sole appointment of the said united company, or who shall have been appointed to such station, office, or capacity, in the service of the said united company, by his Majesty, his heirs or successors, upon the said court of directors neglecting to make such appointment as aforesaid, shall be capable of being appointed to the same, or any other station, office, or capacity, in the *East Indies*, or to claim or exercise, or be capable of claiming or exercising, any power, authority, or jurisdiction there, after he or they, having returned to this kingdom, shall have been resident therein, or in any other part of *Europe*, for the space of five years, unless it shall be made appear, by the oath of credible witnesses, or other authentick testimony, to the satisfaction as well of the said board for the affairs of *India*, as of the court of directors of the said united company, that such residence in *Europe* was on the account of, and became actually necessary for, the health of such person or persons respectively; any law or usage to the contrary notwithstanding: provided always, That nothing herein contained shall extend, or be construed to extend, to any appointment which shall be made by the court of directors of the said united company, with the consent and approbation of three fourths of a general court of proprietors of the said united company, specially convened for that purpose.

No officer of the company in *India*, after returning to this kingdom, and residing in *Europe* for five years, (unless it were on account of his health), shall be capable of any appointment to *India* again.

Exception.

LXIV. And whereas it would conduce to the better government, management, and ordering of the territories, possessions, revenues, and commerce of the said united company, if some more effectual course than the common law hath provided were devised, for the prosecuting and bringing to speedy and condign punishment persons guilty of the crime of extortion, and other misdemeanors, committed in the *East Indies* by British subjects holding offices or employments there under his Majesty, his heirs or successors, or under the said united company; be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for the coroner and attorney of our Lord the King, in the court of king's bench, by rule of the court of king's bench, to be obtained upon motion to be made for that purpose, at the instance of any person or persons, (and which rule the said court is hereby impowered to grant at their discretion, if the magnitude and circumstances of the case shall appear to the said court to render it proper), or for his Majesty's attorney general, or for the court of directors or court of proprietors

Method of procedure against British subjects who shall be guilty of extortion, or other misdemeanors, in the *East Indies*.

prietors of the said united company, in the name of the said united company, to exhibit in the said court of king's bench, an information against any such person, for any such offence as aforesaid, committed after the first day of *March*, one thousand seven hundred and eighty-five; whereupon the said court shall and may, at the instance of the prosecutor, cause the party against whom such information shall have been exhibited as aforesaid to be attached, and may and shall order him to stand committed to the prison of the *Marshalsea*, or to the tower of *London*, or to the gaol of *Newgate*, at the discretion of the said court, there to be detained until he shall be delivered by due course of law, or until he, together with two sufficient sureties, shall have entered into a recognizance unto the King's majesty, his heirs and successors, in such sum of money, and with such condition for his appearance, and for satisfying the judgement to be pronounced in and upon such information, as to the said court in its discretion shall seem meet; and when the defendant shall have appeared and pleaded to the said information, the chief justice, or some of the justices of the said court of king's bench, shall, within ten days, (unless any *Mandamus* shall be granted for the examination of witnesses as herein-after provided, upon a motion to be made within a time to be limited by the said court of king's bench for that purpose), deliver the record of the said information and plea to the lord high chancellor of *Great Britain*, or lord keeper, or lords commissioners for the custody of the great seal of *Great Britain*, who shall thereupon issue a commission under the said great seal in manner herein-after provided.

If any person accused shall neglect to appear, &c. the information shall proceed notwithstanding.

LXV. And be it further enacted, That if any person or persons against whom any information shall be exhibited under the authority of this act, shall neglect or refuse, within such respective times as shall be allowed to him or them for those purposes, by the rules, or according to the discretion of the said court, to appear and plead not guilty to such information; it shall and may be lawful for his Majesty's attorney general, or other prosecutor, to cause an appearance, and the plea of not guilty, to be entered for such person or persons; and the said information shall thereupon proceed as if the party or parties had appeared, and pleaded not guilty thereto.

Within 30 days from the commencement of every session, the house of lords shall chuse by ballot 26 members of their house, and the house of commons 40 of theirs. The lists to be delivered

LXVI. And be it further enacted, That within thirty days from the commencement of the next and every future session of parliament, the lords spiritual and temporal shall proceed to chuse, nominate, and appoint, twenty-six or more members of their house; and the commons of *Great Britain*, in parliament assembled, forty or more members of the said house of commons, to be chosen by ballot; and the speaker of each house respectively shall cause the list of the said names, so chosen, to be transmitted, under their respective hands and seals, to the clerk of the crown in chancery, or his deputy: and that whenever a commission is to be issued under the great seal of *Great Britain* by virtue of this act, the lists so returned shall be delivered

delivered over to fuch three judges of the courts of king's bench, common pleas, or exchequer, as the faid courts fhall for that purpofe refpectively appoint, one judge being nominated from each of the faid courts refpectively; and if the faid lifts fhall contain more than twenty-fix members of the houfe of lords, or forty of the houfe of commons refpectively, the faid judges fhall, within three days from the receipt thereof, caufe the names contained in the faid lift or lifts of either or both houfes refpectively (as the cafe may happen) to be put into a box or boxes, and twenty-fix names of the faid peers, and forty names of the faid commons, to be publickly drawn by lot, in the prefence of the faid judges; and that the faid three judges fhall have power and authority, and they are hereby required to give notice to all fuch members of the two houfes of parliament, whole names fhall have been fo returned, or drawn by lot as aforefaid, and alfo to his Majefty's attorney general, or other profecutor, and alfo to the party accufed, as the cafe may require, of the time and place to be appointed by the faid judges (not exceeding twenty days from fuch lifts being delivered to them as aforefaid) for proceeding in the execution of this act; and the names of all fuch members of either houfe of parliament as fhall not attend in confequence of fuch notice, fhall be transmitted to the fpeaker of each houfe refpectively, within three days, if parliament be then fitting, or if not, within three days after the next meeting of parliament; and all fuch perfons as fhall appear to have made default as aforefaid, fhall forfeit to his Majefty, his heirs and fucceffors, the fum of five hundred pounds each, unlefs they fhall offer fuch excufes as fhall appear to each houfe of parliament refpectively to be valid and fufficient: and if any member of either houfe of parliament, whole name fhall have been drawn by lot in the prefence of the faid judges as aforefaid, fhall have departed this life, or fhall hold any civil office of profit under the crown during his Majefty's pleafure, or fhall be, or fhall have been, a member of the faid board for the affairs of *India*, or fhall be, or fhall have been a director of the faid company, or fhall hold, or fhall have held, any office or employment in the fervice of the faid company in *India*, then, in each and every fuch cafe, another name fhall be drawn out of the fame box (if any fuch name there be) inftead of the name of fuch perfon.

to three judges appointed by the different courts.

Names of the members of either houfe returned, &c. who fhall not attend, on receiving proper notice, to be transmitted to the fpeaker.

Defaulters to forfeit 500*l.* each.

LXVII. And be it further enacted, That the fénior of the faid three judges prefent at the refpective meetings of the faid fpecial commiffioners fhall be the prefident of fuch meeting or meetings; and that all queftions, refolutions, and determinations before the faid fpecial commiffioners, fhall be by a majority of voices of the fpecial commiffioners then and there prefent; and if the voices fhall be equal, the then prefident fhall have a fecond or cafting voice.

The fénior judge prefent to be prefident of the meeting.

LXVIII. And be it further enacted, That the members of the houfe of peers hereby directed to be named by the faid houfe for the purpofes aforefaid, fhall be chofen, nominated,

Twenty-fix members of the houfe of peers, how to be chofen, and

and appointed, in the manner following; (that is to say), That at any time within thirty days from the commencement of the next and every future session of parliament, when it shall appear that there are fifty lords spiritual and temporal at the least then present, the lords shall be called; and if there are fifty present, the lords shall thereupon proceed to deliver in at the table lists, each of which lists shall contain the names of twenty-six lords, and shall be signed by the lord who delivers such list; which list being delivered in, shall be referred to a committee of lords to be then appointed, who shall examine the said lists, and forthwith report to the house the name of every such lord whose name shall appear on ten such lists; and if the names so returned shall not amount to twenty-six at the least, the lords present shall be required to deliver in fresh lists, each list containing a number of names equal to that number by which the list returned shall fall short of twenty-six, and so as often as the case shall happen; and no lord present when the house shall be called over shall depart until the said lists of twenty-six peers shall be made as aforesaid.

Manner of
choosing the
40 members
of the house
of commons.

LXIX. And be it further enacted, That the members of the house of commons, hereby directed to be named by that house for the purposes aforesaid, shall be chosen, nominated, and appointed, in the manner following; (that is to say), That at any time within thirty days from the commencement of the next and every future session of parliament (and after the speaker of the said house shall have taken the chair), it shall and may be lawful for any member, after four of the clock in the afternoon, to require that the doors of the house shall be locked, and that the house shall be told by the speaker; and if it shall appear that there are two hundred members or more then present, the members of the house shall thereupon proceed to deliver in at the table lists, each of which lists shall contain the names of forty members; which lists being delivered in, shall be referred to a committee of five members, to be then appointed, who shall examine the said lists, and shall forthwith report to the house the name of every such member whose name shall appear on twenty of the said lists; and if the names so returned shall not amount to forty at the least, the members present shall be required to deliver in fresh lists, each list containing a number of names equal to that number by which the list returned shall fall short of forty, and so as often as the case shall happen; and the doors of the house shall not be opened until the said list of forty members, or more, shall be fully completed in manner aforesaid.

Names of persons holding offices under the crown during pleasure, &c. to be picked out of a list.

LXX. Provided always, and be it enacted, That if any of the persons named in such lists shall appear to hold any civil office of profit under the crown during his Majesty's pleasure, or to be, or to have been, a member of the said board for the affairs of *India*, or to be, or to have been, a director of the said company, or to hold, or to have held, any office or employment in the service of the said company in *India*; the names of all

all and every ſuch perſons ſhall be ſtruck out of the ſaid liſt returned to the houſe by the ſaid committee, upon ſuch liſt being read over at the table.

LXXI. And be it further enacted, That the names of all ſuch members of either houſe of parliament, contained in the ſaid liſts, of twenty-fix peers and of forty commoners, which ſhall have been drawn by lot in preſence of the three judges as aforeſaid, as ſhall perſonally appear at the time and place appointed as aforeſaid, ſhall be put into a box, to be drawn out by lot, in preſence of the ſaid judges, and of the parties, or their counſel or agents; and the perſon againſt whom ſuch information ſhall have been exhibited as aforeſaid, ſhall have the liberty, as the ſaid names are drawn out, to make peremptory challenges, to the number of thirteen of the peers, and twenty of the members of the houſe of commons, whoſe names ſhall have been put into the ſaid box; and his Majeſty's attorney general, or other proſecutor, as the caſe may happen, ſhall have power to make challenges to any of the names which ſhall be ſo drawn out, and to aſſign for cauſe of challenge any ſuch matter as in the opinion of the three judges, or the majority of them, ſhall appear in their diſcretion ſufficient to ſet them aſide, for the purpoſe of obtaining them equal juſtice; and the firſt four names of the ſaid peers, and likewiſe the firſt ſix names of the ſaid commoners, which ſhall be drawn out after the ſaid number of challenges reſpectively, or which, being drawn out, ſhall not be ſo challenged, ſhall be returned by the ſaid judges to the lord high chancellor, who ſhall cauſe the names of the ſaid peers, and members of the houſe of commons, together with thoſe of the ſaid three judges appointed as aforeſaid, to be inſerted in the ſpecial commiſſion to be iſſued by virtue of this act; and the perſons whoſe names are ſo inſerted in the commiſſion ſhall appear, within ten days, at the time and place to be appointed by the ſaid three judges, and take the following oath, before the lord high chancellor, or lord keeper, or lords commiſſioners of the great ſeal for the time being, or any one of them :

The party to be tried ſhall have liberty to challenge 13 peers, and 20 commoners.

Proſecutor may alſo make challenges.

The firſt four names of the peers, and the firſt ſix of the commoners, drawn out after the challenges, &c. ſhall be returned by the judges to the lord chancellor, to be inſerted, with thoſe of the ſaid judges, in a ſpecial commiſſion, &c.

I A. B. do ſwear, That I will well and truly try and determine, to the beſt of my judgement, the matter now to be brought before me, according to the evidence that ſhall be given.

Oath to be taken by the ſpecial commiſſioners.

So help me GOD.

And in caſe the challenges ſhall reduce the number of names ſo drawn out to leſs than four peers and ſix commoners reſpectively, then and in ſuch caſe the ſaid three judges ſhall certify the ſame to the reſpective houſes of parliament, who ſhall proceed with all convenient diſpatch to appoint and ballot afreſh for liſts of members to be tranſmitted to the clerk of the crown, or his deputy, and afterwards to be inſerted in a new commiſſion to be iſſued in the manner herein-before directed; and the

Their powers. ſaid ſpecial commiſſioners ſhall have full power and authority to hear and determine every ſuch information, and to pronounce judgement thereon, according to the effect of the judgement of the common law, upon convictions had and obtained according to the courſe of the common law, for extortion, or other miſdemeanor; and alſo to declare the party ſo convicted incapable of ſerving the ſaid united company in any capacity whatſoever; and that ſuch judgement, to be pronounced by the ſaid ſpecial commiſſioners as aforeſaid, in and upon ſuch information, ſhall be good, and effectual, and concluſive, to all intents and purpoſes whatſoever; and that no *Certiorari* ſhall be granted, by any court whatſoever, for removing the proceedings of the ſaid ſpecial commiſſioners on ſuch information into any court whatſoever; and the proceedings of the ſaid ſpecial commiſſioners ſhall not be impeached, or the validity thereof queſtioned, in any action or ſuit, or other proceeding, in any court of law or equity whatſoever.

Seven commiſſioners to make a quorum. LXXII. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid ſpecial commiſſioners, or any ſeven or more of them, (of whom one of the ſaid three judges, at the leaſt, ſhall always be one), to hear and determine every ſuch information, and from time to time to adjourn, as they ſhall think fit; and in caſe any number of the ſaid ſpecial commiſſioners ſhall, before the ſaid commiſſion ſhall have been fully executed, depart this life, or be rendered incapable of acting, ſo that the number of the ſaid ſpecial commiſſioners ſhall be reduced to ſix; or if all the ſaid three judges ſhall happen to die, or be rendered incapable of acting, whiſt the ſaid commiſſion ſhall be depending, then, and in either of ſuch caſes, and from thenceforth, the ſaid commiſſion, and the force and effect thereof, ſhall ceaſe, and a new commiſſion ſhall be awarded for hearing the matter of ſuch information for which ſuch former commiſſion was iſſued, and the proceedings therein ſhall begin *de novo*; ſave only and except with reſpect to the examination or depoſition of any witneſſes (if any) which ſhall have been taken in writing under the ſaid former commiſſion; which examinations or depoſitions ſhall and may be received and admitted as evidence under ſuch new commiſſion.

Commissioners to appoint a regiſter. LXXIII. And be it further enacted, That the ſaid ſpecial commiſſioners ſhall nominate and appoint a fit and proper perſon or perſons to act as their regiſter or regiſters in the execution of the ſaid commiſſion; and when and ſo ſoon as the ſaid commiſſion ſhall have been fully executed, the ſaid commiſſion, and the information and plea, and the judgement had thereupon, and all the depoſitions and examinations, and other proceedings concerning the premiſes, ſhall be delivered over by ſuch regiſter or regiſters unto the clerk of the crown in the court of king's bench, to be kept and recorded in that court.

Subpoenas may be iſſued for the attendance of witneſſes. LXXIV. And be it further enacted by the authority aforeſaid, That subpoenas requiring the attendance, before the ſpecial commiſſioners to be appointed under this act, of any witneſſes

ness or witnesses as or on behalf of any person or persons prosecuted under the authority of this act, may be issued out of the crown office of the court of king's bench; and in case any witness, having due notice of such subpoena, shall not attend in obedience to such subpoena, his non-attendance shall be deemed a misdemeanor, and subject him to be indicted; and in case any such witness shall attend, but shall refuse to be examined, it shall and may be lawful for the said special commissioners to punish such witness by fine or imprisonment, at their discretion.

Non-attendance to be deemed a misdemeanor.

LXXV. And be it further enacted, That the said special commissioners shall have full power and authority, by virtue of this act, to send for persons, papers, and records, and to examine all witnesses who shall come or be brought before them upon oath, to be taken before them, and to cause the examinations of such witnesses, if they shall so think fit, to be reduced into writing, and to be signed and subscribed by such witnesses respectively; and if any person brought before the said special commissioners shall prevaricate in his evidence, or shall otherwise misbehave himself before the said special commissioners, the said special commissioners shall and may, if they shall so think fit, commit such person to the prison of the *Fleet*, or the gaol of *Newgate*, there to remain for such time as the said special commissioners shall appoint, unless the said commissioners shall order them to be released sooner, which they are hereby empowered to do; and if any such witness shall wilfully give any false evidence before the said special commissioners, such witness shall be deemed guilty of wilful and corrupt perjury, and shall and may be indicted and punished for the same accordingly.

Commissioners may send for persons, papers, and records;

and may commit prevaricators to the Fleet, &c.

LXXVI. And be it further enacted, That the recognizance to be entered into as aforesaid, shall bind the property of all and singular the goods and chattels, which were the goods and chattels of the principal party entering into such recognizance at the time of his entering into the same, or which he shall or may acquire at any time afterwards, and before he shall be discharged from such recognizance; and shall also bind all estate and interest in all lands, tenements, and hereditaments, whereof the said principal party shall be seised or possessed, or whereof any person or persons, in trust for the party so entering into such recognizance (at the time of his entering into the same, or at any time afterwards, and before he shall be discharged therefrom) shall be seised or possessed.

The recognizance aforesaid shall bind all the goods of the principal party at the time of entering into the same, &c.

LXXVII. And be it further enacted, That where the party against whom such information shall have been exhibited as aforesaid shall be adjudged to be guilty of the crime charged in such information, and shall be adjudged to pay a fine unto his Majesty, his heirs and successors, that it shall and may be lawful for his Majesty's attorney general, or for the said united company, or other prosecutor, to exhibit interrogatories before the court of exchequer, for the examination of the party adjudged to pay such fine as aforesaid, as to his estate and effects

Where the party shall be found guilty, and adjudged to pay a fine, he may be examined by interrogatories in the court of exchequer as to his estate and effects:

If he shall not appear, or refuse to answer, &c. he shall forfeit all his estate, and be committed.

sufficient to answer the same fine; and if the said party shall not appear, or shall refuse to answer to such interrogatories, or shall wilfully conceal any part of his estate or effects, hereinbefore declared to be bound by such recognizance as aforesaid, or which shall by law be liable to be extended in satisfaction thereof, such party, on his default of appearance before such court, or on his refusal to answer such interrogatories, shall forfeit to the King's majesty, his heirs and successors, all and singular his goods and chattels, lands, tenements, and hereditaments whatsoever, and shall be liable to be imprisoned in the gaol of *Newgate*, or the tower of *London*, for such time as the said court of exchequer shall direct.

Depositions of witnesses taken in India, and transmitted to the court of king's bench may be read before the special commissioners, and shall be deemed competent evidence.

LXXVIII. *And whereas the provisions made by former laws, for the hearing and determining in England offences committed in India, have been found ineffectual, by reason of the difficulty of proving in this kingdom matters done there; be it further enacted by the authority aforesaid, That in all cases of informations laid or exhibited by virtue of this act in the said court of king's bench, for misdemeanors or offences committed in India, it shall and may be lawful for his Majesty's said court, upon motion to be made on behalf of his Majesty's attorney general, or other prosecutor, or of the defendant or defendants, to award a writ or writs of Mandamus, requiring the chief justice and judges of the supreme court at Fort William in Calcutta for the time being, or the judges of the mayor's court of any of the British settlements in India, as the case may require, who are hereby respectively authorized and required accordingly to hold a court with all convenient speed for the examination of witnesses, and receiving other proofs concerning the matters charged in such informations respectively; and in the mean time to cause such public notice to be given of the holding the said court, and to issue such summons or other process as may be requisite for the attendance of witnesses, and of the agents or counsel of all or any of the parties respectively, and to adjourn from time to time, as occasion may require; and such examination as aforesaid shall be then and there openly and publickly taken, viva voce, in the said court, upon the respective oaths of witnesses, and the oaths of skilful interpreters, administered according to the forms of their several religions, and shall, by some sworn officer of such court, be reduced into one or more writing or writings on parchment, in case any duplicate or duplicates should be required by or on behalf of any of the parties interested, and shall be sent to his Majesty, in his court of king's bench, closed up, and under the seals of two or more of the judges of the said supreme court; and one or more of the judges of the said supreme court shall deliver the same to the agent or agents of the party or parties requiring the same; which said agent or agents (or, in case of his or their death, the person into whose hands the same shall come) shall deliver the same to one of the clerks in court of his Majesty's court of king's bench, in the publick office, and make oath that he received the same from the*

the hands of one or more of the judges of ſuch court in *India* (or in what manner the ſame came into his hands), and that the ſame has not been opened or altered ſince he ſo received it, (which ſaid oath ſuch clerk in court is hereby authorized and required to adminiſter); and ſuch depositions, being duly taken and returned, according to the true intent and meaning of this act, ſhall be allowed and read before the ſaid ſpecial commiſſioners, and ſhall be deemed as good and competent evidence as if ſuch witneſs had been preſent, and ſworn and examined *viva voce*, at any trial before the ſaid ſpecial commiſſioners, for ſuch crimes or miſdeemeanors as aforeſaid, any law or uſage to the contrary notwithstanding; and all parties concerned ſhall be entitled to take copies of ſuch depositions at their own coſts and charges; and the chief juſtice of the ſaid court of king's bench, or one of the judges of the ſaid court, ſhall, with all convenient ſpeed after ſuch depoſition ſhall have been ſo received, together with the ſaid information and plea, cauſe the ſame to be delivered over to the lord high chancellor, or lord keeper, or lords commiſſioners for the cuſtody of the great ſeal of *Great Britain*, who ſhall thereupon iſſue the commiſſion under the great ſeal, in the manner by this act directed.

Chief juſtice of the king's bench, &c. to deliver the depoſition, &c. to the lord chancellor.

LXXIX. Provided always, and it is hereby further enacted, That no information, or plea, or depoſition, which by this act is directed to be delivered over by the chief juſtice of the court of king's bench, or one of the judges of the ſaid court, to the lord high chancellor, or lord keeper, or lords commiſſioners for the cuſtody of the great ſeal of *Great Britain*, ſhall be ſo delivered over, at any other time than during ſome one of the three uſual and accuſtomed terms herein-after mentioned; that is to ſay, *Hilary term*, *Eaſter term*, or *Michaelmas term*.

Reſtriction as to the delivery thereof.

LXXX. And, in order to promote the ends of juſtice in aſcertaining facts committed at ſo great a diſtance from this country, by ſuch evidence as the nature of the caſe will render practicable; be it further enacted, That in all proceedings upon ſuch information as aforeſaid, as well the depositions taken under ſuch commiſſion or commiſſions, after the publication thereof, as alſo all writings which ſhall have been tranſmitted from the *East Indies* to the court of directors of the ſaid united company, by their officers or ſervants reſident in the *East Indies*, in the uſual courſe of their correſpondence with the ſaid court of directors, and copies of all writings which ſhall have been tranſmitted by the ſaid court of directors, or by any committee thereof, to the officers and ſervants of the ſaid united company reſident in the *East Indies*, and which in any manner relate to the ſubject matter of the charge to be contained in ſuch information, or to the defence to be made thereto, may be admitted by the ſaid commiſſioners to be offered in evidence, and ſhall not be deemed inadmiſſible or incompetent, unleſs upon objections ariſing from the nature of the contents of the ſaid writings; ſubject nevertheless to be impeached, in point of credibility, by ſuch obſervations and objections as the nature of ſuch evidence, or other

Writings received by the court of directors from *India*, and copies of writings ſent by the court to their ſervants there, relative to the charge in the information, &c. may be admitted by the commiſſioners as evidence.

circumſtances, may ſuggeſt; any rule of the common law, to the contrary notwithstanding.

Court of king's bench at the prayer of the proſecutor, &c. may order an examination of witneſſes upon interrogatories, &c.

LXXXI. And be it further enacted, That the ſaid court of king's bench ſhall have power and authority, at the prayer of his Maſteſty's attorney general, or other proſecutor, or of the party againſt whom ſuch information ſhall be exhibited, to order an examination *de bene eſſe*, of witneſſes, upon interrogatories to be had and taken before an examiner to be by them appointed for that purpoſe, or by commiſſion, as the caſe ſhall require, and to cauſe the depoſitions of ſuch witneſſes to be publiſhed, when the ſame ſhall appear to them to be proper and neceſſary; and which depoſitions ſhall be afterwards admitted to be read in evidence before the ſaid commiſſioners, and ſhall be deemed good and ſufficient evidence in the law as aforeſaid; ſaving all juſt exceptions to be taken to ſuch depoſitions, when the ſame ſhall be offered to be read as aforeſaid.

Limitation of proſecutions.

LXXXII. And be it further enacted by the authority aforeſaid, That no proſecution in conſequence of this act ſhall be commenced, unleſs within the ſpace of three years after the return of the party proſecuted into *Great Britain*, or within three years after the delivery of the inventory or particular required by this act.

Not to affect the claims reſpecting the territorial acquiſitions.

LXXXIII. Provided always, and be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to prejudice or affect the rights or claims of the publick, or the ſaid united company, reſpecting the ſaid territorial acquiſitions and revenues.

Commencement of this act.

LXXXIV. And be it further enacted, That this act ſhall take place and have commencement, in *Great Britain*, immediately after the ſame ſhall have received his Maſteſty's royal aſſent; and ſhall take place and have commencement, in the ſeveral preſidencies aforeſaid, and in the territories thereunto belonging, from the firſt day of *January*, one thouſand ſeven hundred and eighty-five.

Publick act.

LXXXV. And be it further enacted, That this act ſhall, and ſhall be deemed and taken to be a publick act.

C A P. XXVI.

An act to repeal ſo much of two acts, made in the tenth and fifteenth years of the reign of his preſent Maſteſty, as authorizes the ſpeaker of the houſe of commons to iſſue his warrant to the clerk of the crown for making out writs for the election of members to ſerve in parliament, in the manner therein mentioned; and for ſubſtituting other provisions for the like purpoſes.

Preamble.
Recital of
10 Geo. 3.
c. 41.

WHEREAS by an act, made in the tenth year of the reign of his preſent Maſteſty, intituled, An act to enable the ſpeaker of the houſe of commons to iſſue his warrants to make out new writs for the choice of members to ſerve in parliament, in the room of ſuch members as ſhall die during the reſeſs of parlia-

parliament; and also by another act passed in the fifteenth year of the reign of his present Majesty, for explaining and amending the said act, and for enabling the speaker of the house of commons to make out new writs for the choice of members to serve in parliament, in the room of such members as shall, during the recess of parliament, become peers of Great Britain, and be summoned to parliament, and for other the purposes therein mentioned; several provisions were made for enabling the speaker of the house of commons to issue his warrants to the clerk of the crown to make out new writs for electing members of the house of commons, in the room of such members as should happen to die, or become peers of Great Britain, at the times; in the manner, and under the restrictions in the said several acts mentioned: and whereas the said acts have been found highly advantageous to the publick, by causing speedy elections of members of the house of commons, and it is therefore expedient that the provisions therein contained should be further extended, and freed from certain of the restrictions in the said acts particularly specified, and also that some further provisions should be made for carrying the said powers into execution, in the cases of the death of the speaker of the house of commons for the time being, or of his seat in parliament becoming vacant, or of his absence out of the realm; and it would be also convenient that the provisions contained in the said two several acts of parliament, and of this act, should be reduced into one act of parliament, and that, for that purpose, those provisions contained in the said two several acts should be repealed; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, the said act, passed in the tenth year of the reign of his present Majesty, and also so much of the said act, passed in the fifteenth year of the reign of his present Majesty, as enables the speaker of the house of commons to issue his warrants to make out new writs for the election of members to serve in parliament, shall be, and the same are hereby repealed.

The recited act of 10 Geo. 3. repealed; and part of 15 Geo. 3. c. 36.

II. And be it enacted, That, from and after the passing of this act, it shall and may be lawful for the speaker of the house of commons for the time being, during any recess of the said house, whether by prorogation or adjournment, and he is hereby required to issue his warrant to the clerk of the crown, to make out a new writ for electing a member of the house of commons in the room of any member of the said house who shall happen to die, or who shall become a peer of Great Britain, either during the said recess, or previous thereto, as soon as he shall receive notice, by a certificate, under the hands of two members of the house of commons, of the death of such member, in the first case; and in the second case, that a writ of summons hath been issued, under the great seal of Great Britain, to summon such peer to parliament; which certificate may be in the form, or to the effect, comprized in the schedule hereunto annexed.

Speaker to issue his warrant, during a recess, for making out writs for electing members in the room of those who shall die, or become peers of Great Britain.

Certificates of vacancies to be notified in the Gazette.

Certain restrictions on the speaker relative to issuing his warrant.

III. Provided always, and be it enacted, That the speaker of the house of commons shall forthwith, after his receiving such certificate, cause notice thereof to be inserted in the *London Gazette*, and shall not issue his warrant until fourteen days after the insertion of such notice in the *Gazette*.

IV. Provided also, That nothing herein contained shall extend to enable the speaker of the house of commons to issue his warrant for the purposes aforesaid, unless the return of the writ (by virtue of which such member deceased, or become a peer of *Great Britain*, was elected) shall have been brought into the office of the clerk of the crown, fifteen days at the least before the end of the last sitting of the house of commons immediately preceding the time when such application shall be made to the speaker of the house of commons to issue such warrant as aforesaid; nor unless such application shall be made so long before the then next meeting of the house of commons for the dispatch of business, as that the writ for the election may be issued before the day of such next meeting of the house of commons; nor in case such application shall be made with respect to any seat in the house of commons which shall have been vacated in either of the methods before mentioned, by any member of that house against whose election or return to serve in parliament a petition was depending, at the time of the then last prorogation of parliament, or adjournment of the house of commons.

V. *And whereas the due execution of this act may be prevented or impeded by the death of the speaker of the house of commons for the time being, or by his seat in parliament becoming vacant, or by his absence out of the realm, for which inconveniences it is expedient to provide a remedy;* be it therefore enacted by the authority aforesaid, That it shall and may be lawful for the present speaker of the house of commons, and he is hereby required, within a convenient time after the passing of this act, and for every future speaker of the house of commons, and he is hereby required within a convenient time after he shall be in that office, at the beginning of any parliament, by any instrument in writing under his hand and seal, to nominate and appoint a certain number of persons, not more than seven, nor less than three, members of the house of commons at the time being, thereby authorizing them, or any one of them, to execute all and singular the powers given to the speaker of the house of commons for the time being, for issuing such warrants as aforesaid, by virtue of this act, subject nevertheless to such regulations and exceptions as are herein also contained; which instrument of appointment and authority shall, notwithstanding the death of the speaker of the house of commons making and executing the same, or the vacating his seat in parliament, continue and remain in full force until the dissolution of the parliament in which it shall be made.

VI. Provided always, and be it enacted, That whenever and

Speaker to authorise a certain number of members of the house of commons to execute the powers given to him by this act.

as often as the ſaid number of perſons, ſo to be appointed as aforeſaid, ſhall, by death, or by their ſeats in parliament being vacated, happen to be reduced to leſs than three, it ſhall and may be lawful for the ſpeaker of the houſe of commons for the time being to make a new appointment in the manner hereinbefore directed.

When ſuch number ſhall be reduced to leſs than three, a new appointment to be made.

VII. Provided alſo, That every ſuch appointment ſhall be entered in the journals of the houſe of commons, and be alſo publiſhed once in the *London Gazette*; and the instrument of ſuch appointment ſhall be preſerved by the clerk of the houſe of commons, and a duplicate thereof ſhall be filed in the office of the clerk of the crown in chancery.

Appointments to be entered in the journals of the houſe, and publiſhed in the *Gazette*.

VIII. Provided alſo, That nothing in this act contained ſhall extend, or be conſtrued to extend, to give any power or authority whatſoever to any perſon ſo to be nominated and appointed as aforeſaid; except in the caſe of there being no ſpeaker of the houſe of commons, or of his being abſent out of the realm, nor for any longer time than ſuch perſon, ſo to be appointed as aforeſaid, ſhall continue a member of the houſe of commons; any thing herein contained to the contrary notwithstanding.

In what caſes only ſuch perſons are empowered to act.

IX. And be it enacted, That the publiſher of the *Gazette* for the time being, when any ſuch notice as aforeſaid of the iſſuing of any ſuch warrant ſhall be brought to him, ſigned by any perſon ſo appointed as aforeſaid, ſhall give a receipt for the ſame, ſpecifying the day and hour when the ſame was received; and in caſe more than one ſuch notice ſhall be brought to him, relative to the ſame election, ſuch publiſher ſhall insert in the *Gazette* only the notice firſt received.

Puſliſher of the *Gazette* to give receipts for notices.

S C H E D U L E.

WE whoſe names are underwritten, being two members of the houſe of commons, do hereby certify, That M. P. late a member of the ſaid houſe, ſerving as one of the knights of the ſhire for the county of [or as the caſe may be] died upon the day of [or is become a peer of Great Britain, and that a writ of ſummons hath been iſſued, under the great ſeal of Great Britain, to ſummon him to parliament,] [as the caſe may be;] and we give you this notice, to the intent that you may iſſue your warrant to the clerk of the crown, to make out a new writ for the election of a knight to ſerve in parliament for the ſaid county of [or as the caſe may be] in the room of the ſaid M. P. Given under our hands, this day of

To the ſpeaker of
the houſe of commons.

Note, That in caſe there ſhall be no ſpeaker of the houſe of commons, or of his abſence out of the realm, ſuch certificate may be addreſſed to any one of the perſons appointed according to the directions of this act.

C A P. XXVII.

An act for laying an additional duty on hackney coaches; and for explaining and amending ſeveral acts of parliament relating to hackney coaches.

Moſt gracious Sovereign,

Preamble.

From Sept. 4, 1784, an additional weekly duty of 5s. to be paid for all hackney coach licences.

Duty to be paid monthly.

Proviſions of former acts relative to levying the duty, &c. extended to this act.

Licences to be granted in future under payment of 10s. weekly rent.

WE, your Maſteſty's moſt dutiful and loyal ſubjects, the commons of *Great Britain*, in parliament aſſembled, towards raiſing, by the moſt eaſy means, the neceſſary ſupplies to defray your Maſteſty's publick expences, have freely and voluntarily reſolved to give and grant unto your Maſteſty the additional duty herein after mentioned; and do moſt humbly beſeech your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent Maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the fourth day of *September*, one thouſand ſeven hundred and eighty-four, there ſhall be raiſed, levied, collected, and paid, unto and for the uſe of his Maſteſty, his heirs and ſucceſſors, from all and every perſon or perſons now licenſed, or hereafter to be licenſed, to drive or keep a hackney coach, or coach horſes, within the cities of *London* and *Weſtmiſter*, or the ſuburbs of the ſame, or within the pariſhes comprized within the weekly bills of mortality, the further or additional weekly duty or ſum of five ſhillings, of lawful money of *Great Britain*, for each and every ſuch coach ſo licenſed; to be paid monthly from the ſaid fourth day of *September*, one thouſand ſeven hundred and eighty-four, without any deduction or abatement for any matter, cauſe, or thing whatſoever: And that all powers, proviſoes, articles, clauses, penalties, and forfeitures, and all other matters and things, preſcribed or appointed by any former act or acts of parliament relating to ſuch hackney coaches, or the owners, renters, or drivers thereof, ſhall be of full force and effect with relation to the additional weekly duty or ſum hereby impoſed, and ſhall be applied and put in execution for the raiſing, levying, collecting, and ſecuring, the ſaid additional weekly duty hereby impoſed, according to the true intent and meaning of this act, as fully, to all intents and purpoſes, as if the ſame had ſeverally and reſpectively been hereby enacted with relation to the ſaid additional weekly duty hereby impoſed.

II. Provided always, and it is hereby enacted, That when any of the licences already granted to hackney coachmen ſhall, by death, reſignation, or otherwiſe, become void, it ſhall and may be lawful for the commiſſioners for licenſing and regulating hackney coaches and chairs, or any three of them, to grant ſuch licences anew to any perſon or perſons, under payment as well of the weekly rent of five ſhillings, reſerved by ſuch licences, as of the ſaid additional weekly rent, and with

with such covenants, conditions, and provisos, therein to be inserted, for the more effectual payment thereof, as the said commissioners, in their discretion, shall think fit.

III. *And whereas it frequently happens that the owners of hackney coach licences neglect or refuse to attend the said commissioners with his, her, or their drivers, be it further enacted by the authority aforesaid, That if the owner of any such licensed coach shall neglect or refuse to appear before the said commissioners, upon any complaint exhibited before them, and with his proper driver, upon the third summons left at the usual place of abode of such owner entered with the said commissioners, it shall and may be lawful for the said commissioners, upon such neglect or refusal of appearance of the said owner, to revoke such hackney coach licence, and to license another person in the room of such owner.*

If owners of hackney coaches neglect to appear before the commissioners upon the third summons, their licences may be revoked.

IV. *And whereas by an act, made in the ninth year of the reign of her late majesty Queen Anne, (intituled, An act for licensing and regulating hackney coaches and chairs; and for charging certain new duties on stamped vellum, parchment, and paper, and on cards and dice, and on the exportation of rock salt for Ireland; and for securing thereby, and by a weekly payment out of the post office, and by several duties on hides and skins, a yearly fund of one hundred eighty-six thousand six hundred and seventy pounds, for thirty-two years, to be applied to the satisfaction of such orders as are therein mentioned, to the contributors of any sum not exceeding two millions, to be raised for carrying on the war, and other her Majesty's occasions;) and by another act, made in the seventh year of his present Majesty's reign, (intituled, An act for altering the stamp duties upon policies of assurance; and for reducing the allowance to be made in respect of the prompt payment of the stamp duties on licences for retailing beer, ale, and other exciseable liquors; and for explaining and amending several acts of parliament relating to hackney coaches and chairs;) the several fares or rates to be taken by hackney coachmen, their renters or drivers, are enumerated and set down: and whereas, the better to enable such hackney coachmen, and their renters, to pay such additional rent or impost, it is thought expedient, that the persons already licensed, or hereafter to be licensed, to drive or keep such hackney coaches, should have, take, and receive, for their hire, at and after the rates herein-after mentioned; be it therefore further enacted by the authority aforesaid, That, from and after the fourth day of September, one thousand seven hundred and eighty-four, so much of the said act of the ninth year of the reign of her said late majesty Queen Anne, and also so much of the said act of the seventh year of the reign of his present Majesty, as appoints or enumerates the fares or rates to be taken by hackney coachmen, their renters or drivers, shall, from the said fourth day of September, one thousand seven hundred and eighty-four, be, and the same are hereby repealed: and that, from and after the said fourth day of September, one thousand seven hundred and eighty-four, every person who is or shall be licensed*

Recital of act 9 Anne, c. 23.

and 7 Geo. 3. c. 44.

Part of the recited acts repealed.

From Sept. 4, 1784, hackney coachmen intitled to the

licensed

following
fares; videli-
cet,

licensed by the said commissioners, or the major part of them, to drive, keep, and let to hire, by the hour or day, or otherwise, any hackney coach, with horses and geldings, or mares, within the cities of *London* and *Westminster*, or the suburbs of the same, or within the parishes or places comprised within the weekly bills of mortality, or any other place or places, whereto, by any of the laws now in being, such hackney coaches are compellable to go, or any person legally acting under such licensed person, shall be intitled to, and may demand, receive, and take, for the hire of any such hackney coach, the rates and fares herein-after mentioned; (that is to say:)

One mile and
a half, 1 s.

Not exceeding
two miles,
1 s. 6 d.

And so in-
creasing 6 d.
for every half
mile.

For every distance within and not exceeding one mile and four furlongs, the sum of twelve pence :

And for every further distance within and not exceeding four furlongs, (computed as beyond the said first mentioned distance of one mile and four furlongs,) the sum of sixpence :

And in like manner for any further distance, within and not exceeding four furlongs beyond the said second distance, the like sum of sixpence; and so in like manner the sum of sixpence for every further distance, within and not exceeding four furlongs, to be computed through the whole distance which such coach shall be driven or go.

For the first
hour, 1 s. 6 d.

And as respecting the time during which such coach shall be employed, for the first period of time, not exceeding one hour, the sum of one shilling and sixpence :

And for every
hour after, 1 s.
6 d.

And for any time within and not exceeding an hour, to be computed from the expiration of the said first hour, the sum of one shilling and sixpence; and in like manner for any time within and not exceeding an hour, the further sum of one shilling and sixpence; to be computed through the whole time during which such coach shall be engaged or employed :

For a day of
12 hours. 14 s.
6 d.

And for a day's work or hire, reckoning twelve hours to the day, the sum of fourteen shillings and sixpence :

And for every
hour exceed-
ing 12, 1 s. 6 d.

And for any time exceeding the said twelve hours, at and after the rate of one shilling and sixpence for the first period of time, not exceeding one hour, to be computed from the end of the said twelve hours; and for any time within and not exceeding an hour, to be computed from the expiration of the said first hour after the said twelve hours, the sum of one shilling and sixpence; and in like manner for any time within and not exceeding an hour, the further sum of one shilling and sixpence, to be computed through the whole time during which such coach shall be engaged or employed exceeding the said twelve hours,

The new fares
to be recover-
ed in the same

V. And be it further enacted by the authority aforesaid, That the said several rates and fares for hire, herein-before mentioned, shall and may be recovered in the like manner as

the fares ſettled by the ſaid recited act of the ninth year of the reign of her ſaid late majeſty Queen Anne, or by any other act or acts of parliament are by law recoverable. manner as the former ones.

VI. And be it further enacted by the authority aforeſaid, That the perſons now licenſed, or hereafter to be licenſed, ſhall be ſubject and liable to all the orders, rules, regulations, bye-laws, penalties, matters, and things, as are, or at any time heretofore have been lawfully preſcribed in relation to any perſons licenſed to keep or drive hackney coaches, and the renters of ſuch licences, and drivers of ſuch coaches, before the making of this preſent act, (except ſuch parts thereof as are hereby repealed.) Perſons taking out new licences to be ſubject to the ſame orders, penalties, &c. as heretofore.

Except, &c.

VII. And whereas a doubt has ariſen whether, under and by virtue of a clauſe in an act made in the firſt year of the reign of his late majeſty King George the Firſt, (intituled, An act for better regulating hackney coaches, carts, drays, cars, and waggon, within the cities of London and Weſtmiſter, and the weekly bills of mortality; and for preventing miſchiefs occaſioned by the drivers riding upon ſuch carts, drays, cars, and waggon,) any perſon driving a mourning coach or hearſe to a funeral within the cities of London or Weſtmiſter, or the ſuburbs of the ſame, or within the pariſhes or places comprized within the weekly bills of mortality, are ſubject and liable to the penalties and forfeitures created by any of the laws now in being for keeping or driving a hackney coach or coach horſes for hire, without a licence from the ſaid commiſſioners; be it further enacted by the authority aforeſaid, That, from and after the ſaid fourth day of September, one thouſand ſeven hundred and eighty-four, if any perſon ſhall drive a mourning coach or hearſe to any funeral within the cities of London or Weſtmiſter, or the ſuburbs of the ſame, or within five miles of Temple-bar in the ſaid city of London, except the ſame ſhall have a number fixed on the forehead of ſuch mourning coach or hearſe, ſhewing it to be a licenſed coach or hearſe let to hire, and information ſhall be given to the ſaid commiſſioners of ſuch fact, it ſhall and may be lawful for the ſaid commiſſioners to ſummon the party driving ſuch mourning coach or hearſe before them, and, on default of ſuch party appearing on ſuch ſummons before the ſaid commiſſioners, the ſaid commiſſioners are hereby impowered to proceed againſt him, her, or them; and although no expreſs hiring ſhall be proved, it ſhall be deemed and adjudged a driving for hire, and the party offending ſhall forfeit for ſuch offence the ſum of five pounds, to be recovered and applied in ſuch and the ſame manner as by any of the laws now in being are directed concerning the penalty or forfeiture for driving an hackney coach for hire without licence. Recital of a clauſe in act 1 Geo. 1. c. 57.

From Sept. 4, 1784. any perſon driving a mourning coach or hearſe, within five miles of Temple-bar, without a number properly fixed thereon, may be ſummoned before the commiſſioners, and fined 5^l.

VIII. And whereas great inconveniencies have ariſen from the irregular behaviour of carmen, draymen, and other perſons driving carts, drays, and other ſuch carriages, within the cities of London, and Weſtmiſter, and ſuburbs thereof, the borough of Southwark, and other ſtreets, highways, and places thereto near adjoining, by their miſuſing and hindering the paſſage of his Majeſty's ſubjects in the

From Sept. 4. 1784. no person shall drive any cart, dray, &c. within five miles of Temple-bar, or in the bills of mortality, except the owner shall have entered his name and place of abode at the hackney coach office; and shall affix his name, and the number of the carriage, on some conspicuous part thereof.

Penalty on offenders.

Additional weekly duty to be paid into the exchequer, and entered in a book separate from all others.

the said streets and highways, and committing other disorders of the like kind: and whereas a doubt has arisen whether, under and by virtue of any of the laws now in being, the owners of any carts, cars, drays, or other such carriages, belonging to persons residing out of the bills of mortality although within the adjoining places to the said cities of London or Westminster and the borough of Southwark, ought to enter their names and places of abode with the commissioners for licensing hackney coaches; be it further enacted by the authority aforesaid, That, from and after the fourth day of September, one thousand seven hundred and eighty-four, no person or persons whatsoever shall drive any cart, car, dray, or other such carriage, within the said cities of London or Westminster, and suburbs thereof, the borough of Southwark, and other streets and places within the bills of mortality, or five miles of Temple-bar in the said city of London, except the owner of such cart, car, dray, or other such carriage, shall have entered his name and place of abode with the commissioners for licensing hackney coaches; and shall, upon some conspicuous part of such cart, car, dray, or other carriage, have the name of the owner of such cart, car, dray, or other such carriage, and the number of such cart, car, dray, or other such carriage belonging to him, in order that the driver of such cart, car, dray, or other such carriage, may be the more easily convicted for any disorder or misbehaviour committed by him as aforesaid; and in case of such neglect or refusal of entry, and affixing such number on such cart, car, dray, or other such carriage, the owner or driver of such cart, car, dray, or other such carriage, so residing and driven within five miles of Temple-bar, shall be subject and liable to all the penalties and forfeitures created by any laws now in being relative to such owners or drivers of carts, cars, drays, or other such carriages, within the said cities of London or Westminster, and suburbs thereof, the borough of Southwark, and other streets within the bills of mortality; which shall or may be recovered and applied in such manner as such forfeitures and penalties are by law now recoverable from the owners of such carts, cars, drays, or other such carriages, so driven within the said cities of London or Westminster, and suburbs thereof, the borough of Southwark, and other streets within the bills of mortality.

IX. And be it further enacted, That the said additional weekly duty, or sum of money, (the necessary charges of raising and accounting for the same excepted,) shall, from time to time, be paid into the receipt of his Majesty's exchequer, distinctly and apart from all other branches of the publick revenue; and in the office of the auditor of the said receipt there shall be provided and kept a book or books, in which all the monies arising from the said additional duty imposed by this act, and paid into the said receipt as aforesaid, shall be entered separate and apart from all other monies paid and payable to his Majesty, his heirs and successors, upon any account whatsoever; and the said money so paid into the said receipt of exchequer

quæ as aforesaid, shall be a fund for the payment of the several Application
and respective annuities, and all such other charges and expen- thereof.
ces, as are directed to be paid and payable pursuant to an act of
this present session of parliament, (intituled, *An act for raising a
certain sum of money by way of annuities, and for establishing a
lottery.*)

X. And be it further enacted, That if any person or persons Defendants
shall, at any time or times, be sued, molested, or prosecuted, may plead the
for any thing by him or them done or executed in pursuance of general issue,
this act, or of any clause, matter, or thing, herein contained, such
person and persons shall and may plead the general issue, and
give the special matter in evidence for his or their defence; and
if upon the trial a verdict shall pass for the defendant or defend-
dants, or the plaintiff or plaintiffs shall become nonsuited, such
defendant or defendants shall have treble costs awarded to him and have tre-
or them against such plaintiff or plaintiffs. ble costs.

C A P. XXVIII.

An act for enabling the treasurer of the navy to pay to the officers and
men belonging to his Majesty's ship Santa Margareta, the like bounty
for taking the French frigate called L'Amazone, as is allowed to the
officers and men on board any of his Majesty's ships of war, taking or
destroying ships of war belonging to the enemy.

2 Geo. 3. c. 67 and 20 Geo. 3. c. 23. recited. Officers and men on board
the Santa Margareta (Capt Elliot Salter) when the attacked the French
frigate L'Amazone, in July 1782. intitled to the bounty of 5l. for every
man on board the said frigate at the time of the attack.

C A P. XXIX.

An act for vesting certain lands, tenements, and hereditaments, in trus-
tees, for better securing his Majesty's docks, ships, and stores, at Port-
smouth and Plymouth; and also for revesting certain messuages, lands,
tenements, and hereditaments, in the counties of Southampton, Corn-
wall, and Devon, in the former proprietors thereof; and for other pur-
poses therein mentioned.

Act of 20 Geo. 3. c. 38. recited, and 21 Geo. 3. c. 61. All the lands, tenements, &c. in the recited acts mentioned to be situate in Devonshire and Cornwall, and vested in sir Fletcher Norton, and the other persons therein named (except as herein mentioned) shall be divested out of the said sir Fletcher Norton, &c. and re-vested in the former proprietors thereof. Re-
cital of 22 Geo. 3. c. 80. and 23 Geo. 3. c. 87. All the lands, tenements, &c. in the recited acts 22 and 23 Geo. 3. mentioned to be situate in Hampshire, and vested in the Rt. Hon. Wolfran Cornwall, &c. shall be re-vested in the former proprietors thereof. Certain pieces of land, &c. in the parish of Alverstoke in the county of Southampton; and in the parishes of Titchfield and Rowner, in the same county; and certain other pieces of land, &c. situate in the parish of Maker, in Devonshire; vested in the Rt. Hon. Charles Wolfran Cornwall, Jervoise Clarke Jervoise esq; Robert Thistlethwayte esq; sir William Lemon baronet, John Rolle esq; and John Polloxin Bastard esq; their heirs and assigns in trust for the owners till the value adjudged and the purchase money paid with interest. Reasonable compensation to be made to the proprietors out of the next parliamentary aids. His Majesty empowered by letters patent under the great

great seal, to appoint commissioners to determine claims to the said lands, &c. To proceed in a summary way, on testimony of witnesses upon oath, or inspection of records, &c. or by jury if required. Judgements and decrees of commissioners to be entered in books, &c. Copies thereof to be laid before both houses of parliament. Commissioners to issue their warrants to sheriffs to summon juries; who are to inquire into the value of lands, &c. Penalty on sheriffs or their officers making default; not more than 20l. and also on jurors, not more than 10l. In case a sufficient jury shall not appear upon return of the warrant, commissioners may adjourn the inquest, and issue their warrant for summoning other jurors in room of defaulters. Commissioners, after the inquest shall be taken, may adjourn, &c. for making decree. Commissioners to give notice previous to their respective meetings, 14 days at least. If owners make default in appearing, &c. to proceed to judgement which is to be final. On payment of the sums assessed by jury, &c. trustees to be deemed seised of the premises for the use of his Majesty. Surveyors of the highways for the parish of Alverstoke, and their workmen, &c. empowered to enter upon lands set out as a road, and to take gravel from the sea shore. Officers of ordinance, before Jan. 1, 1785, in a written declaration, to specify the particular vested lands, &c. which will be wanted for the purposes aforesaid. And all the lands not so specified shall be reverted in the former proprietors. No private building (except barns, hovels, or other building of wood only) to be erected on any lands vested by this act; and the jury may value the damage by such restriction, and if any building be erected after the assessment, the same may be abated. Lands to be purchased in pursuance of this act, shall be liable to the usual tithes and taxes. To be paid by the store keeper of the ordinance. Profits arising from the lands to be expended on the fortifications, to be appropriated by the master general, &c. of the ordinance towards the erection and reparation of the fortifications. Proprietors of lands, hereby reverted, to be reimbursed their expences, &c. in consequence of the recited act 21 Geo. 3. Act of 20 Geo. 3. c. 49. recited. Lands and tenements in Chatham, &c. taken possession of for his Majesty's use, to be liable to tithes, land tax, &c. as heretofore. Such tithes, &c. to be paid by the storekeeper of the ordinance. Proprietors of lands, &c. in Hampshire, to be reimbursed damages in consequence of the act 22 Geo. 3. Commissioners not liable to penalties, in acts 25 Car. 2. c. 2. 1 Wm. and Mar. c. 8. 13 and 14. Wm. 3. c. 6. 1 Geo. 1. c. 13. Commissioners not disqualified from being members of parliament.

C A P. XXX.

An act for granting to his Majesty an additional duty upon licences for retailing beer, ale, and other exciseable liquors..

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, have resolved to give and grant unto your Majesty the duty herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of *September* one thousand seven hundred and eighty-four, there shall be, throughout the kingdom of *Great Britain*, raised, levied, collected, and paid,

From Sept. 1.
1784, an additional duty

paid to his Maſteſty, his heirs and ſucceſſors, a duty of ten ſhillings and ſixpence for every piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be ingroſſed, written, or printed, any licence from juſtices of the peace for ſelling ale, beer, or other exciſeable liquors, by retail, in *Great Britain*, over and above all other duties chargeable thereupon.

of 10s. 6d. to be paid for every licence for retailing beer, ale, &c.

II. And be it further enacted by the authority aforeſaid, That for the better and more effectual levying, collecting, and paying, the ſaid duty herein-before granted, the ſame ſhall be under the government, care, and management of the commiſſioners, for the time being, appointed to manage the duties charged on ſtamped vellum, parchment, and paper, who, or the major part of them, are hereby required and impowered to employ the neceſſary offices under them for that purpoſe, and to uſe and provide ſuch ſtamps to denote the ſaid duty as ſhall be requiſite in that behalf, and to do all other things neceſſary to be done for putting this act into execution with relation to the ſaid duty herein-before granted, in the like, and in as full and ample manner, as they, or the major part of them, are authorized to put in execution any former law concerning ſtamped vellum, parchment, and paper.

The new duty to be under the management of the commiſſioners of ſtamp duties.

III. And be it further enacted by the authority aforeſaid, That the ſame allowance ſhall be made, on preſent payment of the ſeveral duties granted by this act, in ſuch manner as by any former law, relating to ſtamped vellum, parchment, and paper, is directed and allowed.

Allowance to be made on prompt payment.

IV. And be it further enacted by the authority aforeſaid, That ſuch ſtamps as the commiſſioners are hereby directed and authorized to provide and uſe, ſhall and may be altered and renewed in ſuch manner as any other ſtamps on vellum, parchment or paper, are, by any former law relating to ſtamped vellum, parchment, or paper, directed to be altered or renewed.

Stamps may be altered or renewed.

V. And be it further enacted by the authority aforeſaid, That if any perſon ſhall counterſeit or forge, or procure to be counterſeited or forged, any ſeal, ſtamp, or mark, directed or allowed to be uſed by this act, for the purpoſe of denoting the duties by this act granted; or ſhall counterſeit or reſemble the impreſſion of the ſame, with an intent to defraud his Maſteſty, his heirs and ſucceſſors, of the ſaid duty; or ſhall privately or fraudulently uſe any ſeal, ſtamp, or mark, directed or allowed to be uſed by this act, with intent to defraud his Maſteſty, his heirs and ſucceſſors, of the ſaid duty; every perſon ſo offending, and being thereof lawfully convicted, ſhall be adjudged a felon, and ſhall ſuffer death as in caſes of felony, without benefit of clergy.

Penalty on counterſeiting ſtamps, &c.

VI. And be it further enacted by the authority aforeſaid, That all powers, provisions, articles, clauses, penalties, diſtribution of penalties, and forfeitures, and all other matters and things preſcribed or appointed by any former act or acts of parliament, relating to the ſtamp-duties on vellum, parchment,

Proviſions of former ſtamp acts to be in force in executing this act.

and paper, ſhall be of full force and effect with relation to the duty hereby impoſed, and ſhall be applied and put in execution for the raiſing, levying, collecting, and ſecuring the ſaid duty hereby impoſed, according to the true intent and meaning of this act, as fully, to all intents and purpoſes, as if the ſame had ſeverally and reſpectively been hereby enacted with relation to the ſaid new duty hereby impoſed.

Duty to be paid to the receiver general of ſtamp-duties, and by him paid into the exchequer.

VII. And be it further enacted by the authority aforeſaid, That the duty herein-before granted ſhall be paid from time to time into the hands of the receiver general for the time being of the duties on ſtamped vellum, parchment, and paper, who ſhall keep a ſeparate and diſtinct account thereof, and pay the ſame (the neceſſary charges of raiſing, paying, and accounting for the ſame, being deducted) into the receipt of the exchequer, for the purpoſes in this act mentioned, at ſuch time, and in ſuch manner, as any former duties on ſtamped vellum, parchment, and paper, are directed to be paid.

A book to be provided by the auditor of the exchequer, for entering the duty ſeparate from all others. Application thereof.

VIII. And be it further enacted by the authority aforeſaid, That there ſhall be provided and kept, in the office of the auditor of the ſaid receipt of exchequer, a book or books, in which all the monies ariſing from the ſaid duty, and paid into the ſaid receipt as aforeſaid, ſhall be entered ſeparate and apart from all other monies paid and payable to his Majeſty, his heirs and ſucceſſors, upon any account whatſoever; and the ſaid money, ſo paid into the ſaid receipt of exchequer as aforeſaid, ſhall, together with ſuch other rates, duties, and revenues, as ſhall be granted by any act or acts of this ſeſſion of parliament for this purpoſe, be a fund for the payment of the ſeveral annuities, and all ſuch other charges and expences as are directed to be paid and payable, purſuant to an act of this preſent ſeſſion of parliament, (intituled, *An act for raiſing a certain ſum of money by way of annuities, and for eſtabliſhing a lottery*).

Defendants may plead the general iſſue,

IX. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall, at any time or times, be ſued, moleſted, or proſecuted, for any thing by him or them done or executed in purſuance of this act, or of any clause, matter, or thing herein contained, ſuch perſon and perſons ſhall and may plead the general iſſue, and give the ſpecial matter in evidence for his or their defence; and if upon the trial a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall become nonſuited, then ſuch defendant or defendants ſhall have treble coſts awarded to him or them againſt ſuch plaintiff or plaintiffs.

and ſhall have treble coſts.

C A P. XXXI.

An act for granting to his Majesty certain duties on horfes kept for the purpofe of riding, and on horfes ufed in drawing certain carriages, in refpect whereof any duty of excife is made payable.

Most gracious Sovereign,

WHERE your Majesty's most dutiful and loyal fubjects, the commons of *Great Britain*, in parliament afsembled, towards raising the neceffary fupplies to defray your Majesty's publick expences, have freely and voluntarily refolved to give and grant unto your Majesty the new duties herein-after mentioned; and do moft humbly befeech your Majesty that it may be enacted; and be it enacted by the King's moft excellent majesty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament afsembled, and by the authority of the fame, That, from and after the twenty-ninth day of *September*, one thoufand feven hundred and eighty-four, there fhall be raifed, levied, collected, and paid, throughout the kingdom of *Great Britain*, unto and for the ufe of his Majesty, his heirs and fucceffors, the rates and duties following; that is to fay,

From Sept. 29, 1784, the following duties to be paid to his Majesty; videlicet,

Every perfon who fhall keep and ufe any horfe, mare, or gelding, for the purpofe of riding, or for the purpofe of drawing any coach, berlin, landau, chariot, calafh, chaise, or any other carriage, by whatfoever name fuch carriage is now or hereafter may be called or known, (for or in refpect whereof any rate or duty, under the management of the commiffioners of the excife, now is or are made payable by any ftatute now in force), fhall yield and pay annually, for every fuch horfe, mare, or gelding, the fum of ten fhillings:

For every faddle horfe, coach horfe, &c. the yearly fum of 10s.:

For every horfe, mare, or gelding, entered to ftart or run for any plate, prize, fum of money, or other thing whatfoever, the further fum of two pounds two fhillings:

For every horfe entered to run for a plate, 2l. 2s.:

Every licenfed horfe dealer within the bills of mortality, or borough of Southwark, 10l. per ann.:

That every perfon exercifing the trade and bufinefs of an horfe dealer, within the cities of *London* and *Westminfter*, the weekly bills of mortality, or within the borough of *Southwark* in the county of *Surrey*, and who fhall take out a licence to ufe and exercife the faid trade and bufinefs of an horfe dealer, fhall yield and pay annually, to and for the ufe of his Majesty, his heirs and fucceffors, the fum of ten pounds:

And every perfon exercifing the faid trade or bufinefs of an horfe dealer, without the cities of *London* and *Westminfter*, the weekly bills of mortality, or the borough of *Southwark*, in the county of *Surrey*, and who fhall take out a licence to ufe and exercife the faid trade and bufinefs of an horfe dealer, fhall yield and pay annually, to and for the ufe of his Majesty, his heirs and fucceffors, the fum of five pounds.

And every fuch dealer without the faid limits, 5l.

Duties to be
under the ma-
nagement of
the commis-
sioners of
stamp-duties

II. And, for the better and more effectually raising, levying, ~~levy-~~ letting, and paying the said duties herein-before granted, be it enacted, That the same shall be under the government, care, and management of the commissioners for the time being appointed to manage the duties charged on stamped vellum, parchment, and paper, who, or the major part of them, are hereby required and impowered to employ such officers under them for that purpose, and to allow such salaries and incidental charges as shall be necessary, and to provide and use such marks or stamps as they shall think fit to denote the duty, and to repair, renew, and alter the same from time to time as they shall see occasion, and to do all other matters and things necessary to be done for putting this act in execution with relation to the said duties hereby granted, in the like, and in as full and ample manner, as they, or the major part of them, are authorized to put in execution any of the laws now in being concerning stamped vellum, parchment, and paper.

Commission-
ers may grant
licences to
horse dealers.

III. And be it further enacted, That, from and after the passing of this act, any two or more of his Majesty's commissioners, appointed for managing the duties arising by stamps on vellum, parchment, or paper, or some person duly authorised by them, shall grant licences to such persons who shall apply for the same, to use and exercise the trade and business of an horse dealer in any city, town, or other place within *Great Britain*, for the space of one year, to commence from the said twenty-ninth day of *September*, one thousand seven hundred and eighty-four, upon all licences to be granted on or before that day; and upon licences to be first granted to any person or persons after the said twenty-ninth day of *September*, one thousand seven hundred and eighty-four, to commence from the day of the date of every such licence; and all and every person and persons, who shall take out such licence for using and exercising the said trade and business of an horse dealer, shall, in order to be exempted from the duty hereby imposed on any horse, mare, or gelding, kept and used by him, take out a fresh licence for another year, ten days at least before the expiration of that year for which he shall have been so licensed, if he shall continue to use and exercise the said trade and business of an horse dealer; and shall, in like manner, renew such licence from year to year, paying down the respective sums due on such licences, as long as he shall continue to use and exercise the said trade and business of an horse dealer.

Licences to be
renewed an-
nually.

Certain words
to be wrote or
painted on the
front of the
house or sta-
bles of every
horse dealer,

IV. And be it further enacted, That every person exercising the trade and business of an horse dealer, and who shall have taken out a licence for that purpose, shall cause the words *Licensed to deal in Horses*, to be painted or written in large and legible characters, either on a sign hung out, or on some visible place in the front of his or their house, gateway, or stables, at the respective places at which he or they keep such horses for sale, to denote that such person is a dealer in horses, and licensed for that purpose; and if any person, so licensed as aforesaid, shall

ſhall preſume to ſell any horſe without fixing or hanging out ſuch token as aforeſaid, every licenſed horſe dealer ſo offending, ſhall, for every ſuch offence, forfeit and pay the ſum of five pounds, to be recovered and diſtributed as herein-after is directed. 51.

V. And be it further enacted, That the owner of every horſe, mare, or gelding, entered to ſtart or run for any plate, prize, ſum of money, or other thing, ſhall, previous to the entering or ſtarting ſuch horſe, mare, or gelding, pay the ſum of two pounds two ſhillings, as the duty for one year; which ſaid money ſhall be paid, for the uſe of his Maſteſty, his heirs and ſucceſſors, into the hands of the clerk of the courſe, book-keeper, or other perſon authoriſed to make the entry of ſuch horſe, mare, or gelding, being to ſtart or run for ſuch plate, prize, ſum of money, or other thing, as aforeſaid; and if any owner of ſuch horſe, mare, or gelding, ſhall, previous to the ſtarting, neglect or reſuſe to pay the ſaid ſum of two pounds two ſhillings, for ſuch entrance, to the clerk of the courſe, book-keeper, or other perſon authoriſed to make the entry as aforeſaid, the owner or owners of every ſuch horſe, mare, or gelding ſhall forfeit and pay the ſum of twenty pounds, to be recovered and applied in ſuch manner as herein-after is directed. Two guineas to be paid previous to the entering any horſe to run for a plate, on penalty of 20 l.

VI. And be it further enacted, That every clerk of the courſe, book-keeper, or other perſon, ſo receiving the ſaid ſum of two pounds two ſhillings, as entrance money, ſhall, within fourteen days after the receipt thereof, give an account of all monies received by him for horſes ſo entered to ſtart as aforeſaid, to the diſtributor of ſtamps in the county where the race was run, upon demand made by ſuch diſtributor for the ſame, and producing his appointment as diſtributor under the hands and ſeals of three of the commiſſioners of his Maſteſty's ſtamp-duties; and in caſe of not accounting for and paying the ſame, he ſhall, for every default in not delivering ſuch accounts, pay the ſum of one hundred pounds; and for every default of payment of the monies due on ſuch accounts, forfeit and pay double the amount of the monies due on the ſaid accounts at the time of ſuch default. Penalty on clerk of the courſe, &c. neglecting to account with diſtributor of ſtamps.

VII. And it is hereby enacted, That the ſaid head diſtributors of ſtamps, to whom ſuch money ſhall be paid as aforeſaid, ſhall make an allowance of one ſhilling in the pound to ſuch clerk of the courſe, book-keeper, or other perſon as aforeſaid, for all monies ſo accounted for and paid by him to ſuch diſtributor as aforeſaid. Allowance to be made to the clerk of the courſe, &c.

VIII. And be it further enacted, That all and every perſon and perſons who, from and after the ſaid twenty-ninth day of September, one thouſand ſeven hundred and eighty-four, ſhall keep and uſe any horſe, mare, or gelding, for the purpoſe of riding, or for the purpoſe of drawing any carriage ſubject to the duty of exciſe as herein-before is mentioned, for his, her, or their own uſe, or the uſe of any perſon of or for whom he, ſhe, or they, is, are, or ſhall be, committees, truſtees, or guardians, All perſons keeping horſes ſubject to the duties aforeſaid, within the bills of mortality, ſhall give notice thereof to the

stamp-office,
and pay the
annual duties:

if living in *London* or *Westminster*, or within the limits of the weekly bills of mortality, shall, within twenty days after the said twenty-ninth day of *September*, or within ten days after he or she shall begin to keep and use such horse, mare or gelding, for riding or drawing as aforesaid, and so, from time to time, within ten days after beginning to keep and use any other such horse for riding or drawing respectively, not being in the place or stead of any former one kept and used by him or her and of which notice has been given as aforesaid, and payment for the same, give notice in writing at the head office in *London* for stamping and marking of vellum, parchment, and paper, of his, her, or their keeping and using the same, and of the number of such horses so by him, her, or them respectively kept and used as aforesaid, and of the parish or place where he, she, or they respectively reside, and shall at the same time pay down the respective annual duties so imposed as aforesaid for keeping the same.

And all persons keeping such horses, in any other part of Great Britain, shall give notice thereof to the head distributors of stamps, &c. and pay the duties to them.

IX. And be it further enacted, That all and every person and persons who, from and after the said twenty-ninth day of *September*, one thousand seven hundred and eighty-four, shall keep and use any such horse, mare, or gelding, for riding or drawing, as aforesaid, hereby charged with the said duty, for his or her own use, or for the use of any person or for whom he, she, or they shall be committees, trustees, or guardians, in any other part of *Great Britain*, shall, within thirty days after the said twenty-ninth day of *September*, or within twenty days after he, she, or they shall begin to keep and use such horse so hereby directed to be charged with the said duty, and from time to time within ten days after beginning to keep and use any other such horse for riding or drawing respectively, not being in the place or stead of some former one kept and used by him, and of which notice has been given as aforesaid, and payment made for the same, give notice in writing to the head distributors of stamps in each county, or to their deputies residing next to the place where such person or persons, for whose use the same shall be so kept, shall respectively inhabit, of his, her, or their keeping the same, and of the number of such horses so by him, her, or them respectively kept and used as aforesaid, and of the parish or place where he, she, or they respectively reside, and shall at the same time pay down the respective annual duties so imposed as aforesaid, for the keeping the same.

Persons keeping horses liable to the duties, shall give fresh notices, and pay the duties, annually.

X. And be it further enacted, That all and every person and persons who shall give, or be obliged to give, such notice as aforesaid, is and are hereby required, at or within twenty days after the expiration of twelve calendar months after the times of giving, or being obliged to give such first notice, to give a fresh notice in manner aforesaid, and pay down the respective annual duties above-mentioned, according to the number of such horses so by him, her, or them respectively then kept, and in the same manner to renew such notice, and make such payment from year to year, as long as he, she, or they shall

ſhall keep any ſuch horſes as aforeſaid; and if any perſon or perſons ſhall ſo keep any ſuch horſe or horſes, liable to the ſaid duty as aforeſaid, without giving ſuch firſt or other notice, and making ſuch payments yearly in manner aforeſaid, he, ſhe, or they ſhall, for every ſuch horſe, mare, or gelding, ſo kept and uſed by him, her, or them, and of which no notice ſhall have been given, and payment made as aforeſaid reſpectively, forfeit and pay the ſum of twenty pounds for each offence.

Penalty.

XI. Provided always, and be it further enacted, That no ſuch perſon as aforeſaid ſhall be compelled to travel for the making ſuch entry, or the payment of the ſaid duties, if he or ſhe live in a market town, out of the ſaid town, or if he or ſhe live out of a market town, then to no other place than to the market town neareſt to his or her habitation.

No perſon need go further than to the next market town for making entry, &c.

XII. And, for the better ſecuring the duty hereby impoſed, be it further enacted, That the ſeveral collectors of the duties on windows in every pariſh within Great Britain ſhall, and they are hereby directed to make out fair and correct liſts, in writing, of the names of all the perſons reſiding within their reſpective pariſhes liable to the payment of the duties on windows, together with the number of windows for which each perſon is charged with the ſaid duty, and to deliver the ſame to the diſtributor of ſtamps, or his deputy reſiding in the neareſt market town in the ſame county where ſuch pariſh ſhall lie, who ſhall pay to ſuch collector the ſum of two ſhillings for every hundred names contained in ſuch liſts, and ſo in proportion for any leſs number of names; and if ſuch collector ſhall reſuſe or neglect to return ſuch liſts ſigned by him, or ſhall deliver in any fraudulent or fictitious liſt, he ſhall forfeit and pay the ſum of five pounds, to be recovered and applied as herein-after is directed.

Pariſh collectors of duties on windows to make out proper liſts of perſons liable to the ſaid duties, and to deliver the ſame to the diſtributors of ſtamps;

on penalty of 5l.

XIII. And be it further enacted, That the head diſtributor of ſtamps, or his deputy, to whom ſuch liſts ſhall be delivered by ſuch collector of the duties on windows, ſhall call at the dwelling-houſe or place of abode of every perſon contained in ſuch liſt, who ſhall not have regiſtered any horſe, mare, or gelding, liable to the duty hereby impoſed, and ſhall make a demand of the duty if any ſuch be due; and if any perſon ſhall reſuſe to pay the ſame after ſuch demand made, and ſhall be convicted of having kept and uſed any horſe, mare, or gelding, liable to the duty hereby impoſed, ſuch perſon and perſons ſhall forfeit and pay the ſum of forty pounds, to be recovered and applied as herein-after is directed.

Diſtributor of ſtamps to call on all ſuch perſons who have not regiſtered any horſe, &c. and demand the duty, &c.

XIV. And be it further enacted, That, upon the payment of the ſaid duties ſo hereby granted at the ſaid head office of ſtamps in London, or to the reſpective offices in the country, by the ſeveral owners or proprietors of any ſuch horſe or horſes liable to the ſaid duty as aforeſaid, the names of the perſons ſo paying the ſame, and the number of horſes by him or her reſpectively kept, and the name of the pariſh or place where he, ſhe, or they reſide, ſhall be entered in a regiſter to be kept at

Names of the perſons paying the duty, and the number paid for, &c. to be entered in a regiſter.

Receipts to be given on payment of the duties.

To what horſes this act ſhall not extend.

Copies of registers to be affixed on church doors

Penalty on deſacing them.

Clause relative to perſons who keep horſes at divers places of reſidence.

the ſaid head office of ſtamps, if in *London*, and, if in the *country*, by the ſaid head diſtributors of ſtamps, or their deputies, for that purpoſe, by the perſon ſo receiving the ſame; and a receipt ſhall be given to every perſon ſo paying ſuch duties by the perſons ſo receiving the ſame; which receipt ſhall contain the number of the ſaid register, the number of ſuch horſes ſo reſpectively entered and paid for, the ſum paid for the ſame, and the time for which ſuch ſum ſhall have been ſo paid, and be a diſcharge to the reſpective owners for ſuch number of horſes ſo paid for, whereſoever the ſame are reſpectively uſed.

XV. And it is hereby further enacted, That nothing in this act contained ſhall extend to charge with the ſaid duties, any horſe belonging to any non-commiſſioned officer or private ſoldier of any of the regiments of cavalry in his Maſteſty's ſervice, nor to any horſe, mare, or gelding, belonging to and kept for ſale, and not for hire, in the ſtables of any dealer in horſes licenſed purſuant to this act; nor to any horſe, mare, or gelding, let to hire for travelling poſt, by the mile, or from ſtage to ſtage, or let to hire for a day, or leſs period of time, by any poſtmaſter, innkeeper, or other perſon licenſed for that purpoſe by the commiſſioners appointed to manage the duties charged on ſtamped vellum, parchment, and paper.

XVI. And be it further enacted, That the ſaid officers at the head office of ſtamps in *London*, or their reſpective officers in the country, ſhall, and they are hereby required, within thirty days after payment of the duty hereby impoſed, to affix a true copy of the register (herein-before directed to be kept) on the door of the church belonging to the pariſh where the perſon or perſons keeping and uſing ſuch horſe or horſes ſhall reſide; and if any perſon ſhall reſide in any extra-parochial place, then on the door of the pariſh church next adjoining; and in which register or liſt ſo to be affixed, ſhall be inſerted the name of the perſon, and the number of the horſes ſo paid for by ſuch perſon, and the times when the ſame were ſo paid: and if any perſon or perſons ſhall deſignedly and wilfully tear down, obliterate, deface, or deſtroy, ſuch register and liſt ſo affixed as aforeſaid, every perſon ſo offending ſhall forfeit and pay the ſum of forty ſhillings for each and every offence, to be recovered and applied as herein-after is directed.

XVII. And be it further enacted, That in all caſes where any perſons ſhall have divers places of reſidence, and ſhall keep at each ſuch place any horſe or horſes chargeable with the duty by this act impoſed, every ſuch perſon ſhall, and is hereby required, within the ſpace of one month after the payment of the ſaid duties, if the ſame ſhall be paid at the head office in *London*, to deliver, or cauſe to be delivered, to the ſtamp officer in the market town neareſt to ſuch place of his or her reſidence, a duplicate of every ſuch entry, or the register ſo made by ſuch perſon, mentioning, at the foot of every ſuch duplicate, the time when ſuch original entry or register ſhall have been made, and the duties paid as aforeſaid; upon pain that every ſuch perſon

ſon neglecting to deliver ſuch duplicate ſhall, for every ſuch offence, forfeit the ſum of forty ſhillings.

XVIII. And be it further enacted by the authority aforeſaid, That all pecuniary penalties hereby impoſed ſhall be divided and diſtributed in manner following; that is to ſay, one moiety thereof to His Majeſty, his heirs and ſucceſſors, and the other moiety thereof, with full coſts of ſuit, to the perſon or perſons who ſhall inform and ſue for the ſame. Penalties how to be divided.

XIX. Provided always, and it is hereby enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any juſtice of the peace reſiding near the place where the offence ſhall be committed, to hear and determine any offence againſt this act; which ſaid juſtice of the peace is hereby authorized and required, upon any information exhibited, or complaint made in that behalf, to ſummon the party accuſed, and alſo the witneſſes on either ſide, and ſhall examine into the matter of fact; and upon due proof made thereof, either by the voluntary confeſſion of the party, or by the oath of one or more credible witneſs or witneſſes, to give judgement or ſentence for the penalty or forfeiture, according as in and by this act is directed, and to award and iſſue out his warrants, under his hand and ſeal, for the levying any pecuniary penalties or forfeitures ſo adjudged on the goods of the offender, and to cauſe ſale to be made thereof, in caſe they ſhall not be redeemed within fix days, rendering to the party the overplus (if any); and where the goods of ſuch offender cannot be found ſufficient to answer the penalty, to commit ſuch offender to priſon, there to remain for the ſpace of three months, unleſs ſuch pecuniary penalty ſhall be ſooner paid and ſatiſfied: and if any perſon or perſons ſhall ſuppoſe himſelf or themſelves aggrieved by the judgement of any ſuch juſtice, then he or they ſhall and may, upon giving ſecurity to the amount of the value of ſuch penalty and forfeiture, together with ſuch coſts as ſhall be awarded in caſe ſuch judgement ſhall be affirmed, appeal to the juſtices of the peace at the next general quarter ſeſſions for the county, riding, or place, who are hereby impowered to ſummon and examine witneſſes upon oath, and finally to hear and determine the ſame; and in caſe the judgement of ſuch juſtice ſhall be affirmed, it ſhall be lawful for ſuch juſtices to award the perſon or perſons to pay coſts occaſioned by ſuch appeal, as to them ſhall ſeem meet. Any neighbouring juſtice may determine offences againſt this act.

XX. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall be ſummoned as a witneſs or witneſſes, to give evidence before ſuch juſtice or juſtices of the peace, touching any of the matters relative to this act, either on the part of the proſecutor, or of the perſon or perſons accuſed, and ſhall neglect or reſuſe to appear at the time and place to be for that purpoſe appointed, without a reaſonable excuſe for ſuch his, her, or their neglect or reſuſal, to be allowed of by ſuch juſtice or juſtices of the peace before whom Penalties may be levied by diſtreſs; or the offender committed.

Persons aggrieved may appeal to the quarter ſeſſions.

Persons ſummoned to appear as witneſſes ſhall, on default, forfeit 40s.

the proſecution ſhall be depending; that then every ſuch perſon ſhall forfeit, for every ſuch offence, the ſum of forty ſhillings, to be levied and paid in ſuch manner, and by ſuch means, as are herein-before directed as to other penalties.

Justice may
mitigate pe-
nalties.

XXI. Provided nevertheless, That it ſhall and may be lawful to and for the ſaid juſtice, where he ſhall ſee cauſe, to mitigate and leſſen any ſuch penalties as he ſhall think fit, reaſonable coſts and charges of the officers and informers, as well in making the diſcovery as in proſecuting the ſame, being always allowed over and above ſuch mitigation, and ſo as ſuch mitigation do not reduce the penalties to leſs than a moiety of the penalties incurred, over and above the ſaid coſts and charges; any thing contained in this act, or any other act of parliament, to the contrary notwithstanding.

Duties to be
paid to the
receiver-
general of
ſtamp-duties,
and by him
paid into the
exchequer.

XXII. And be it further enacted by the authority aforeſaid, That the ſeveral duties herein-before granted ſhall be paid from time to time into the hands of the receiver-general for the time being of the duties on ſtamped vellum, parchment, and paper, who ſhall keep a ſeparate and diſtinct account of the ſeveral rates and duties, and pay the ſame (the neceſſary charges of raiſing, paying, and accounting for the ſame, being deducted) into the receipt of the exchequer, at ſuch time, and in ſuch manner, as the duties now charged on ſtamped vellum, parchment, and paper, are directed to be paid; and that in the office of the auditor of the ſaid receipt, there ſhall be provided and kept a book or books, in which all the monies ariſing from the ſaid ſeveral rates and duties, and paid into the ſaid receipt as aforeſaid, ſhall be entered ſeparate and apart from all other monies paid or payable to his Majeſty, his heirs or ſucceſſors, upon any account whatſoever; and the ſaid money ſo paid into the ſaid receipt of exchequer as aforeſaid, ſhall be a fund for the payment of the ſeveral annuities, and all ſuch other charges and expences as are directed to be paid and payable, purſuant to an act of this preſent ſeſſion of parliament, (intituled, *An act for raiſing a certain ſum of money by way of annuities, and for eſta bliſhing a lottery.*)

Auditor to
provide a
book for en-
tering the du-
ties ſeparate
from all
others.

Application
thereof.

XXIII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall at any time or times be ſued, moleſted, or proſecuted for any thing by him or them done or executed in purſuance of this act, or of any clause, matter, or thing herein contained, ſuch perſon or perſons ſhall or may plead the general iſſue, and give the ſpecial matter in evidence for his or their defence; and if upon the trial a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs become nonſuited, then ſuch defendant or defendants ſhall have treble coſts awarded to him or them againſt ſuch plaintiff or plaintiffs.

Defendants
may plead the
general iſſue,

and have
treble coſts.

C A P. XXXII.

An act to postpone the payment of the sum of two millions, advanced by the governor and company of the bank of England, towards the supply for the service of the year one thousand seven hundred and eighty-one.

Act of 21 Geo. 3. c. 60. and 21 Geo. 3. c. 3. recited. Repayment of the sum of 2,000,000l. to the bank postponed to Jan. 5, 1786. Exchequer bills made out by virtue of this act to bear 3 per cent. interest, until that period. Bills so issued not to be received again in payment of taxes; nor exchanged before Jan. 5, 1786. Action not to lie for such refusal. Principal and interest, with charges, to be repaid out of any supplies to be granted for the year 1785; or charged on the sinking fund. Monies so issued to be replaced out of the first supplies.

C A P. XXXIII.

An act for raising a certain sum of money by loans or exchequer bills, for the service of the year one thousand seven hundred and eighty-four.

Commissioners of the treasury may raise 1,500,000l. by loans and exchequer bills, before Jan. 5, 1785, as by malt tax act of last session, to be charged on the sinking fund. Monies so issued to be replaced out of the first supplies.

C A P. XXXIV.

An act for the relief of the East India company with respect to the payment of certain sums due to the publick, and to the acceptance of certain bills drawn upon the said company, and for regulating the dividends to be made by the said company.

WHEREAS the united company of merchants of England trading to the East Indies, on and at sundry times before the first day of December, one thousand seven hundred and eighty-three, became and now stand indebted to his Majesty, for duties of customs on goods imported, in sundry sums of money, amounting together to the sum of nine hundred twenty-three thousand five hundred and nineteen pounds five shillings and two-pence, after making certain deductions and allowances to which, by law, the said company are intitled, on due payment of the said customs on or before the respective days on which the same became due; and the said company also stand indebted to his Majesty in the further sum of one hundred thousand pounds, which became due on the first day of December, one thousand seven hundred and eighty-one, for the last payment appointed to have been made in respect of the sum of four hundred thousand pounds, mentioned in an act made in the twenty-first year of the reign of his present Majesty, intituled, An act for establishing an agreement with the united company of merchants of England trading to the East Indies, for the payment of the sum of four hundred thousand pounds, for the use of the publick, in full discharge and satisfaction of all claims and demands of the publick from the time the bond debt of the said company was reduced to one million five hundred thousand pounds, until the first day of March, one thousand

Preamble.

Recital of 21
Geo. 3. c. 63.

thouſand ſeven hundred and eighty-one, in reſpect of the territorial acquiſitions and revenues lately obtained in the *East Indies*; and alſo for ſecuring to the publick in reſpect thereof, for a term therein mentioned, a certain part or proportion of the clear revenues and profits of the ſaid company; and for granting to the ſaid company, for a further term, the ſole and excluſive trade to and from the *East Indies*, and limits therein mentioned; and for eſtabliſhing certain regulations for the better management of the affairs of the ſaid company, as well in *India* as in *Europe*, and the recruiting the military forces of the ſaid company: and whereas by the ſaid act, made in the twenty-ſiſt year of the reign of his preſent Maſteſty, it was, amongſt other things, enacted, That, from and after the fiſt day of March, one thouſand ſeven hundred and eighty-one, for and during ſo long time as the ſaid united company, under the authority of that act, ſhould be intitl'd to the whole, ſole, and excluſive trade and traffick in, to, and from the *East Indies*, and places in the ſaid act mentioned, the whole clear profits ariſing from the ſaid territorial acquiſitions and revenues, after defraying the charges and expences attending the ſame, together with all the clear revenues and profits of the ſaid company, after providing for the current payment of intereſt, and other outgoings, charges, and expences of the ſaid company, ſhould, from time to time, be diſpoſed of and applied in manner therein and herein-after mentioned; (that is to ſay); it ſhould be lawful for the ſaid united company to ſet apart and retain, in the fiſt place, in each and every year, ſuch ſum as ſhould be equal to eight-pounds per centum per annum, upon the capital ſtock of the ſaid united company of three millions two hundred thouſand pounds; and in caſe there ſhould remain a ſurplus of the ſaid clear revenues and profits above the ſaid ſum of eight pounds per centum per annum, ſo to be retained by the ſaid united company as aforeſaid, three fourth parts of ſuch ſurplus profits ſhould be ſet apart and applied for the uſe of the publick, and the remaining one fourth part thereof ſhould be reſerved and retained by the ſaid united company for their own uſe: and it was thereby further enacted, That it ſhould be lawful for the ſaid united company to apply ſuch money as they were therein before authorized to retain to themſelves, and alſo other money in the ſaid act mentioned, in the payment of dividends to the proprietors of the ſtock of the ſaid united company, not exceeding the rate of twelve pounds ten ſhillings per centum per annum; provided the bond debt of the ſaid company did not at any ſuch time exceed one million five hundred thouſand pounds; and provided that they did not increaſe the preſent dividend of eight pounds per centum per annum, more than at the rate of one pound per centum in each and every year: and, in order to aſcertain the yearly net profits ariſing from the ſaid united company's trade and revenues, it was further enacted, That the ſaid united company ſhould cauſe to be made out yearly, for each and every year, during the term therein mentioned, with as much accuracy as the nature of the caſe would admit, a ſtatement of the profits and loſs upon the whole of the trade and revenues of the ſaid united company, together with a ſtate of the debts of the ſaid united company in England, from the fiſt day

of March in every year, to the firſt day of March in each ſucceeding year; which ſaid account was to be ſigned and delivered to the commiſſioners of his Maſteſty's treaſury, or the high treaſurer for the time being, as therein is mentioned: and whereas, purſuant to the ſaid act, ſuch ſtatement as therein is mentioned of the profit and loſs upon the whole of the trade and revenues of the ſaid united company hath been annually made up and delivered to the commiſſioners of his Maſteſty's treaſury; and by the laſt of ſuch accounts, made up from the firſt day of March, one thouſand ſeven hundred and eighty-three, to the firſt day of March, one thouſand ſeven hundred and eighty-four, it appears, that after debiting and bringing forward the deficiencies of former years, and the ſaid dividend of eight pounds per centum, allowed to be retained by the company, there was a deficiency on the ſaid account, up to the firſt day of March, one thouſand ſeven hundred and eighty-four, of the ſum of one hundred forty-one thouſand nine hundred and forty one pounds: and whereas, beſides the ſaid debts due to his Maſteſty, as aforeſaid, the ſaid company have been allowed to increaſe their bond debt to the amount of five hundred thouſand pounds, over and above the ſum of one million five hundred thouſand pounds, mentioned in the ſaid act of the twenty-ſirſt year of his preſent Maſteſty's reign; and the ſaid company alſo ſtand indebted in the ſum of three hundred thouſand pounds, lent and advanced to them upon ſundry exchequer bills, which will become due and payable on the ſixth day of April, one thouſand ſeven hundred and eighty-fix, the ſame having been made out and delivered to the ſaid company, purſuant to an act, made in the twenty-third year of the reign of his preſent Maſteſty, intituled, An act for granting relief to the united company of merchants of England trading to the Eaſt Indies, by allowing further time for the payment of certain ſums due, and to become due to the publick, and by advancing to the ſaid company, on the terms therein mentioned, a certain ſum of money to be raiſed by loans or exchequer bills; and to enable the ſaid company to make a dividend of four pounds per centum to the proprietors at Chriſtmas, one thouſand ſeven hundred and eighty-three; and to regulate the future payment of debentures of drawbacks on Eaſt India goods; by which ſaid act it was enacted, That, until the debts therein and herein before mentioned to be due to his Maſteſty ſhould be paid, the ſaid ſum of three hundred thouſand pounds repaid, and the bond debt of the ſaid company be again reduced to one million five hundred thouſand pounds, the whole clear profits ariſing from the ſaid territorial acquiſitions and revenues, after deſraying the charges and expences attending the ſame, together with all the clear revenues and profits of the ſaid company, after providing for the current payment of intereſt, and other outgoings, charges, and expences of the ſaid company, and for ſuch dividends to the proprietors of the ſtock of the ſaid company, as they ſhould be intituled or allowed to make, receive, and take, ſhould, from time to time, be diſpoſed of and applied in manner following; (that is to ſay); in the firſt place, in diminution and payment of the ſaid debts due to his Maſteſty until the ſame ſhould be fully paid; and afterwards, in diminution and payment of the ſaid ſum of three hundred

Recital of 23
Geo. 3. c. 83.

thouſand

thouſand pounds and intereſt, and for defraying the charges incurred in reſpect thereof; and then, in reducing the bond debt of the ſaid company until the ſame ſhould be reduced to one million five hundred thouſand pounds: and whereas, over and beſides the ſaid debts due to his Maſteſty, the ſaid increaſed bond debt, and the ſaid exchequer bills, ſundry bills of exchange have been drawn upon the court of directors of the ſaid united company from their different preſidencies and ſettlements in India, to the amount of one million ſix hundred and ninety thouſand pounds, or thereabouts, over and beſides bills drawn from the ſactory at China, and over and beſides the ſum of three hundred thouſand pounds a year in bills of exchange, allowed to be accepted and paid by the court of directors of the ſaid company of their own authority, and other bills of exchange are expected to be drawn upon the ſaid court of directors: and whereas it is expedient that a further reaſonable time ſhould be allowed to the company for the payments of the debts due as aforeſaid, on conſideration of their revenues and profits, beyond a reaſonable dividend to the proprietors, being appropriated to ſuch payments, as faſt as the ſame ſhall come into caſh: may it therefore pleaſe your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for the commiſſioners of his Maſteſty's treasury for the time being, or any three or more of them, to poſtpon and allow further time for the payment of the ſaid ſum of nine hundred and twenty-three thouſand five hundred and nineteen pounds five ſhillings and two-pence, which became due for cuſtoms at ſuch ſeveral times as herein-before are mentioned; and of the ſaid ſum of one hundred thouſand pounds, which became due on the firſt day of December, one thouſand ſeven hundred and eighty-one, or any part or parts of the ſaid ſeveral ſums reſpectively, unto ſuch time or times as they ſhall think fit, not beyond the firſt day of January, one thouſand ſeven hundred and eighty-fix; and if the ſaid united company do and ſhall pay the ſaid ſums reſpectively, at ſuch time or times to which the ſaid payments, or any part thereof, reſpectively ſhall be poſtponed as aforeſaid, the ſame ſhall be accepted and received in like manner as if the ſaid ſums reſpectively had been paid on or before the ſeveral and reſpective days on which the ſaid ſums became due; and the ſaid united company, upon ſuch payment at ſuch poſtponed time or times, ſhall be freed and diſcharged from all damages, intereſt, and loſſes, which they became liable to by means of not having made the ſaid payments reſpectively at the ſeveral times on which the ſame became due; and ſhall be intitled unto, and have the ſame diſcounts, allowances, and advantages, as if the ſaid ſums reſpectively had been paid on or before the ſeveral and reſpective days on which they became due; any thing in any act or acts of parliament in anywiſe notwithstanding.

II. And be it further enacted by the authority aforeſaid,
i That

Commisſioners of the treasury may allow the company further time for payment of the ſums due to the publick, but not beyond Jan. 1, 1786.

That it shall and may be lawful to and for the court of directors of the said united company, by and with the consent and approbation of the commissioners of his Majesty's treasury for the time being, or any three or more of them, to accept and pay the said bills of exchange drawn and to be drawn upon them as aforesaid, at such time or times respectively, and upon such terms and conditions, and with such interest, as the said commissioners of his Majesty's treasury for the time being, or any three or more of them, shall think fit, and shall allow by writing under their hands.

Directors with consent of commissioners of the treasury may accept certain bills of exchange, &c.

III. Provided nevertheless, and be it enacted, That the said commissioners of the treasury, in so adjusting and settling the payments of the said bills of exchange, shall give a priority in the respective payments, according as the same would have accrued if the said bills had been discharged in regular course; due regard therein being had to the several dates of the said bills, to the times when the same were severally tendered for acceptance, and to the respective periods in which they were originally made payable.

Priority in payment of such bills, how to be adjusted.

IV. And, in order to make proper provision, and give security to the creditors of the said company for the payment of the said debts, be it further enacted by the authority aforesaid, That until the said debts due to his Majesty, and the said bills of exchange, to be accepted with such consent and approbation as aforesaid, shall be paid, the said sum of three hundred thousand pounds, borrowed on the said exchequer bills, repaid, and the bond debt of the said company be again reduced to one million five hundred thousand pounds, the whole clear profits arising from the said territorial acquisitions and revenues, after defraying the charges and expences attending the same, together with all the clear revenues and profits of the said company, after providing for the said bills of exchange to be accepted with such consent and approbation as aforesaid, together with the current payment of interest, and other outgoings, charges, and expences of the said company, shall, from time to time, be disposed of and applied in manner following; (that is to say,) it shall and may be lawful to and for the said united company to set apart and retain, in the first place, in each and every year, such sum as shall be equal to eight pounds *per centum per annum*, upon the capital stock of the said united company of three millions two hundred thousand pounds; and the said company shall and may, from time to time, make dividends to the proprietors of the stock of the said company, not exceeding the rate of eight pounds *per centum per annum*, notwithstanding any thing contained in the said recited acts, or either of them; and, in the next place, the said clear profits shall be applied in payments of the said debts due to his Majesty, and the said three hundred thousand pounds, borrowed upon the said exchequer bills, and the interest and charges thereof; and from and after such payments as aforesaid shall be made, then in diminution and payment of the bond debt of the said company, until the

The clear revenues and profits of the company to be applied in manner following:

For making a dividend of 8 per cent. to the proprietors;

in payment of the debts due to his Majesty &c. and in reducing the bond debt, &c.

same

ſame ſhall be reduced to the ſum of one million five hundred thouſand pounds; and from and after ſuch reduction of the ſaid bond debt, ſuch diſtribution of the ſaid profits between the publick and the ſaid united company ſhall again take place and be reſumed, as is mentioned in the ſaid act of the twenty-fiſt year of the reign of his preſent Maſteſty.

Deficiency in the annual account, ending March 1, 1784, to be carried forward as a charge in the account of the preſent year.

V. And be it further enacted by the authority aforeſaid, That the ſaid deficiency of one hundred forty-one thouſand nine hundred and forty-one pounds, appearing in the ſaid annual account made up to the fiſt day of *March*, one thouſand ſeven hundred and eighty-four, ſhall be carried forward as a charge in the account of the preſent year; and in caſe any deficiency ſhall appear in the account of any ſubſequent year, during the continuance of the participation between the publick and the company, mentioned in the ſaid act of the twenty-fiſt year of the reign of his preſent Maſteſty, ſuch deficiency ſhall, from time to time, be carried forward to, and charged in, the account of the then next year.

C A P. XXXV.

An act to impower the biſhop of London for the time being, or any other biſhop to be by him appointed, to admit to the order of deacon or prieſt, perſons being ſubjects or citizens of countries out of his Maſteſty's dominions, without requiring them to take the oath of allegiance as appointed by law.

Preamble.

WHEREAS, by the laws of this realm, every perſon who ſhall be admitted to holy orders is to take the oath of allegiance in manner thereby provided; and whereas there are divers perſons, ſubjects or citizens of countries out of his Maſteſty's dominions, inhabiting and reſiding within the ſaid countries, who profeſs the publick worſhip of almighty God according to the liturgy of the church of England, and are deſirous that the word of God, and the ſacraments, ſhould continue to be adminiſtered unto them according to the ſaid liturgy, by ſubjects or citizens of the ſaid countries, ordained according to the form of ordination in the church of England; be it enacted by the King's moſt excellent Maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the paſſing of this act, it ſhall and may be lawful to and for the biſhop of London for the time being, or any other biſhop by him to be appointed, to admit to the order of deacon or prieſt, for the purpoſes aforeſaid, perſons being ſubjects or citizens of countries out of his Maſteſty's dominions, without requiring them to take the oath of allegiance.

The biſhop of London, or any other biſhop by him appointed, may admit aliens to the order of deacon or prieſt, without their taking the oath of allegiance. Perſons ſo ordained, not to exerciſe their office in his Maſteſty's dominions.

II. Provided always, and be it hereby declared, That no perſon, ordained in the manner herein-before provided only, ſhall be thereby enabled to exerciſe the office of deacon or prieſt within his Maſteſty's dominions.

III. Pro-

III. Provided always, and be it further enacted, That in the letters testimonial of such orders, there shall be inserted the name of the person so ordained, with the addition of the country whereof he is a subject or citizen, and the further description of his not having taken the said oath of allegiance, being exempted from the obligation of so doing by virtue of this act.

The name and country, &c. of the person ordained to be inserted in the letters testimonial.

C A P. XXXVI.

An act for repealing the present duties upon wax candles made in Great Britain; and for granting, in lieu thereof, other duties upon wax candles made in Great Britain, and upon wax imported, and upon licences to make or sell wax candles in Great Britain.

WHEREAS, by an act of parliament made in the eighth year of the reign of Queen Anne, intituled, An act for laying certain duties upon candles, and certain rates upon monies to be given with clerks and apprentices, towards raising her Majesty's supply for the year one thousand seven hundred and ten, among other things, during the term of five years from the first day of May, one thousand seven hundred and ten, a duty of four-pence for every pound weight avoirdupois was imposed on all candles of wax, or usually called or sold for wax candles, (notwithstanding the mixture of any other ingredients therewith,) which should be made in Great Britain; and by another act made in the ninth year of the reign of Queen Anne, intituled, An act for reviving, continuing, and appropriating, certain duties upon several commodities to be exported: and certain duties upon coals to be water-borne, and carried coastwise; and for granting further duties upon candles, for thirty-two years, to raise fifteen hundred thousand pounds, by way of a lottery, for the service of the year one thousand seven hundred and eleven; and for suppressing such unlawful lotteries, and such insurance offices, as are therein mentioned,) an additional duty of four-pence for every pound weight avoirdupois was, during thirty-two years, from the twenty-fifth day of March, one thousand seven hundred and eleven, imposed on all candles of wax, or usually called or sold for wax candles, (notwithstanding the mixture of any other ingredients therewith,) which should be made in Great Britain; which said duties of four-pence per pound, and four-pence per pound, have since, by other acts of parliament, been continued for ever: and whereas the fraudulent practice of making wax candles in secret and obscure places, without payment of duty, has of late greatly increased, to the prejudice of the fair trader, and the injury of the revenue, which fraudulent practice cannot so effectually be prevented as by lowering the duties on wax candles made in Great Britain, and by imposing an additional duty on all wax imported into Great Britain; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled,

From Sept. 1, 1784, the duties on wax candles to cease.

and by the authority of the same, That, from and after the first day of *September*, one thousand seven hundred and eighty-four, the aforesaid duties of four-pence, and four-pence, for every pound weight avoirdupois on all candles of wax, or usually called or sold for wax candles, made in *Great Britain*, shall cease, determine, and be no longer paid or payable; save and except in all cases relating to the recovering any of the aforesaid duties which may at that time remain unpaid, or to any penalty or forfeiture incurred before or upon the said first day of *September*, one thousand seven hundred and eighty-four.

And instead thereof, the following duties shall be paid; videlicet,

II. *And, to the intent that no deficiency may happen, by the determination of the said duties, in the respective funds to which those duties were appropriated, be it further enacted by the authority aforesaid, That there shall be answered and paid to his Majesty, his heirs and successors, the several duties herein-after mentioned; that is to say;*

For all wax imported, after Sept. 1, 1784, an additional duty of 2 d. per pound.

For and upon all wax which, after the said first day of *September*, shall be imported or brought into the kingdom of *Great Britain*, over and above all customs, subsidies, and other duties already imposed thereupon, the sum of two-pence for every pound weight avoirdupois, and after that rate for a greater or lesser quantity; the said duty for and upon all imported wax to be paid down in ready money by the importers thereof, before the landing the same:

For all wax candles made in *Great Britain*, a duty of 3 d. per pound.

And there shall be raised, levied, collected, and paid to his Majesty, his heirs and successors, for and upon all candles of wax, or usually called or sold for wax candles, (notwithstanding the mixture of any other ingredients therewith,) which, after the said first day of *September*, shall be made in *Great Britain*, the sum of three-pence for every pound weight avoirdupois, and after that rate for a greater or lesser quantity:

And for spermaceti candles, 3 d. per pound.

And there shall be raised, levied, collected, and paid to his Majesty, his heirs and successors, for and upon all candles made of spermaceti, or usually called or sold for spermaceti candles, (notwithstanding the mixture of any other ingredient therewith,) which, after the said first day of *September*, shall be made in *Great Britain*, the sum of three-pence for every pound weight avoirdupois, and after that rate for a greater or lesser quantity.

New duty upon wax imported to be levied and recovered in the same manner as the present duties.

III. And be it further enacted by the authority aforesaid, That the said duty upon imported wax by this act granted, shall be ascertained, secured, raised, levied, recovered, and answered, by such rules, ways, and means, and under such penalties and forfeitures, and in such manner and form as the present duties upon wax imported are, by any law or statute now in force, to be ascertained, secured, raised, levied, recovered, or answered.

IV. And be it further enacted by the authority aforesaid, That

That the duties by this act impoſed upon wax imported, ſhall be ſubject and liable to the additional duties or impoſts of five pounds *per centum*, and five pounds *per centum*, ſeverally impoſed by the acts reſpectively made in the nineteenth and twenty-second years of the reign of his preſent Maſteſty, upon the produce and amount thereof; and that ſuch additional duties or impoſts of five pounds *per centum*, and five pounds *per centum*, ſhall be raiſed, levied, collected, and paid, in the ſame manner, and under the ſame rules and regulations, powers and authorities, ways, means, and methods, as the ſaid additional duties or impoſts are, by the ſaid acts of the nineteenth and twenty-second years of his preſent Maſteſty's reign, directed to be collected and paid.

V. And be it further enacted by the authority aforeſaid, That ſuch of the duties impoſed by this act upon imported wax as ſhall ariſe in *England, Wales*, and the town of *Berwick upon Tweed*, ſhall be under the management of the commiſſioners and officers of the cuſtoms in *England*; and ſuch of the duties impoſed by this act upon imported wax as ſhall ariſe in *Scotland*, ſhall be under the management of the commiſſioners and officers of the cuſtoms in *Scotland*; and all the monies ariſing by the duties impoſed by this act on wax imported into *Great Britain*, (the neceſſary charges of raiſing and accounting for the ſame excepted,) ſhall from time to time be paid into the receipt of his Maſteſty's exchequer at *Weſtminſter*, and are hereby appropriated and ſhall be applied, one moiety thereof to the ſame uſes and purpoſes, in ſuch manner and under ſuch regulations, as the monies ariſing by the duties impoſed, by the aforeſaid act of the eighth year of Queen *Anne*, upon imported wax candles, now are appropriated unto and directed to be applied; and the other moiety thereof to the ſame uſes and purpoſes, in ſuch manner, and under ſuch regulations, as the monies ariſing by the duties impoſed, by the ſaid act of the ninth year of Queen *Anne*, upon imported wax candles, now are appropriated unto and directed to be applied.

VI. Provided always, and it is hereby enacted by the authority aforeſaid, That, upon the exportation of any wax from this kingdom to any port or place beyond the ſeas as merchandize, the exporter ſhall be paid and allowed a drawback of the duties paid upon the importation of ſuch wax, by virtue of this act, which drawback or allowance ſhall be made in ſuch manner, and under ſuch rules, regulations, penalties, and forfeitures, in all reſpects, as any former drawback or allowance, payable out of the duties of cuſtoms upon the exportation of wax, was, could, or might be made before the paſſing this act.

VII. And be it further enacted by the authority aforeſaid, That all ſuch candles of wax, or uſually called or ſold for wax candles, as, from and after the firſt day of *September*, one thouſand ſeven hundred and eighty-four, ſhall be ſeized on importation or otherwiſe, and be legally condemned for nonpayment

The duties upon wax imported ſhall be liable to the additional 5 per cents. impoſed by 19 Geo. 3. c. 25. and 22 Geo. 3. c. 66.

And ſhall be under the management of the commiſſioners of cuſtoms.

and be paid into the exchequer.

Application thereof.

Exporters of wax which has paid the new importation du. y. to be allowed a drawback of the ſame.

Candles ſeized for nonpayment of duties to be broken, &c.

of the duties thereon, shall, immediately after such condemnation, be broken, or otherwise defaced, and rendered unfit for use.

New duties on candles made in Great Britain, to be levied and recovered in the same manner as the former duties.

Powers of the acts of 8 and 9 Anne, &c. to be in force in execution of this act.

VIII. And it is hereby further enacted by the authority aforesaid, That the duties by this act imposed for and upon all wax candles made in *Great Britain*, shall, from time to time, be raised, received, levied, recovered, and secured, by such ways and means, and under such management, and under such penalties and forfeitures, and with such power of adjudging and mitigating penalties, and forfeitures, and with such power of making compositions and other powers, and subject to such allowances, drawbacks, rules, and directions, and in such method, manner, and form, as the duties upon candles made in *Great Britain*, granted by the aforesaid acts of the eighth and ninth years of the reign of Queen *Anne*, are by those acts, or by any law or statute thereby referred unto, or since made, to be raised, received, levied, recovered, or secured; and that the said acts, and all the clauses, penalties, forfeitures, powers, authorities, rules, directions, matters, and things, therein contained, or thereby referred unto, or since enacted, for the raising, receiving, levying, recovering, securing, paying, or accounting for the duties upon candles made in *Great Britain* thereby granted, are by force of this act continued, and shall be practised and put in execution for raising, receiving, levying, recovering, securing, paying, or accounting for the duties on wax candles made in *Great Britain* hereby granted, and for making allowances out of the same, as fully and effectually, to all intents and purposes, as if they were particularly and at large repeated in this present act.

From Sept. 1, 1784. a duty of 5l. to be paid for every licence for making wax or spermaceti candles, and 5s. for every licence for selling thereof.

The inland duties to be liable to the additional imposts of 5 per cent. imposed by 19 Geo. 3. c. 25, 21 Geo. 3. c. 17, and 22 Geo. 3. c. 66, upon the amount thereof.

IX. And be it further enacted by the authority aforesaid, That, from and after the said first day of *September*, there shall be paid unto his Majesty, his heirs and successors, a duty of five pounds for every licence to be taken out, in manner herein-after mentioned, by every person making wax candles or spermaceti candles within *Great Britain*; and a duty of five shillings for every licence to be taken out, in manner herein-after mentioned, by every person whatsoever trading in or selling wax candles or spermaceti candles within *Great Britain*.

X. And be it further enacted by the authority aforesaid, That the several duties by this act imposed upon wax candles and upon spermaceti candles made in *Great Britain*, and upon licences to make wax candles or spermaceti candles, and licences to trade in or sell wax candles or spermaceti candles, shall be subject and liable to the additional duties or imposts of five pounds *per centum*, five pounds *per centum*, and five pounds *per centum*, severally imposed by the acts respectively made in the nineteenth, twenty-first, and twenty-second years of the reign of his present Majesty, upon the produce and amount thereof; and that such additional duties or imposts of five pounds *per centum*, five pounds *per centum*, and five pounds *per centum*, shall be raised, levied, collected, and paid, in the same man-

ner,

ner, and under the same rules and regulations, powers and authorities, ways, means, and methods, as the said additional duties or imposts are by the said acts of the nineteenth, twenty-first, and twenty-second years of his present Majesty's reign directed to be collected and paid.

XI. And be it further enacted by the authority aforesaid, That, from and after the said first day of *September*, no person or persons whatsoever who now doth, or at any time hereafter shall make, or trade in, or sell any wax candles or spermaceti candles, shall presume, by him, her, or themselves, or by any other person employed by him, her, or them, for his, her, or their benefit, either publicly or privately, to make, trade in, or sell any wax candles or spermaceti candles without first taking out a licence in manner herein-after mentioned, before he, she, or they shall make, or trade in, or sell any wax candles or spermaceti candles; and such person shall, immediately upon taking out such licence, pay down for the same respectively the sum of money after-mentioned; that is to say, the sum of five pounds for a licence to make wax candles or spermaceti candles, and the sum of five shillings for a licence to trade in or sell wax candles, or spermaceti candles; and, if such licences shall be taken out within the limits of the chief office of excise in *London*, then such licence shall be granted under the hands and seals of two or more of his Majesty's commissioners for the duties of excise for the time being, or of such person or persons as the commissioners of excise shall from time to time appoint for that purpose, and the respective duty for the same shall be paid at the chief office of excise in *London*; and if such licences shall be taken out in any part of *England* or *Wales*, not within the said limits, then such licences shall be granted under the hands and seals of the several collectors or supervisors of excise within their respective collections and districts, and the respective duty of five pounds or five shillings shall be paid for such licences to the collector of excise within whose collection such licence shall be so granted; and in case such licence shall be taken out within the limits of the city of *Edinburgh*, such licence shall be granted under the hands and seals of two or more of his Majesty's commissioners of excise in *Scotland*, for the time being, or of such person or persons as the commissioners of excise in *Scotland* shall from time to time appoint for that purpose, and the respective duty for the same shall be paid at the chief office of excise in *Edinburgh*; and if such licences shall be taken out in any other part of *Scotland* without the limits aforesaid, then such licences shall be granted under the hands and seals of the several collectors and supervisors of excise within their respective collections and districts, and the respective duties for the same shall be paid to the collectors of excise within whose collection such licence shall be so granted; and such respective commissioners of excise, and the persons so to be appointed by them respectively, and also all such collectors and supervisors, are hereby respectively authorised and required to grant and deliver such

After Sept. 1, 1784; no person to make or sell wax or spermaceti candles without a licence.

Licence for making. 5l. for selling, 5s. At what places licences are to be taken out.

licences refpectively to the perfons who fhall apply for the fame, upon payment of five pounds for a licence to make wax candles or fpermaceti candles, or upon payment of five fhillings for a licence to trade in or fell wax candles or fpermaceti candles.

Licences to be renewed annually. XII. And be it further enacted by the authority aforefaid, That every perfon or perfons who fhall take out any fuch licence as aforefaid, is and are hereby required to take out a frefh licence, ten days at leaft before the expiration of twelve calendar months after taking out the firft licence, before he, fhe, or they prefume to make wax candles or fpermaceti candles, or to trade in or fell wax candles or fpermaceti candles, and in the fame manner fhall renew every fuch licence from year to year, paying down the like fum of five pounds for every new or renewed licence to make wax candles or fpermaceti candles, and the like fum of five fhillings for every new or renewed licence to trade in or fell wax candles or fpermaceti candles, in manner and at the places and times before mentioned; and if any perfon or perfons fhall, after the faid firft day of *September*, prefume to offer to make any wax candles or fpermaceti candles without firft taking out a licence for making the fame, or to trade in or fell any wax candles or fpermaceti candles without firft taking out a licence for trading in or felling the fame, and without renewing fuch refpective licence yearly, in manner aforefaid, he, fhe, or they fhall refpectively forfeit and lofe the fum of twenty pounds for each offence.

Every perfon who fhall make or fell fuch candles without taking out a licence, or renewing the fame, to forfeit 20 l.

Persons in partnership not obliged to take out more than one licence, &c.

XIII. Provided always, That perfons in partnership, and carrying on their trade or bufinefs of making or of trading in or felling wax candles or fpermaceti candles in one houfe or fhop only, fhall not be obliged to take out more than one licence for making, or more than one licence for felling, in any one year; and that no licence granted by virtue of this aft fhall authorize any perfon or perfons to make, or trade in, or fell any wax candles or fpermaceti candles, in any other houfe or place than fuch houfe, or places thereto belonging, wherein, he, fhe, or they fhall dwell at the time of granting fuch licence.

Persons who have taken out a licence for making fuch candles, may fell the fame without any other licence.

XIV. Provided alfo, That no perfon that fhall take out a licence for making wax candles or fpermaceti candles, and fhall pay the faid duty of five pounds for the fame for one year, fhall be obliged to take out a licence for trading in or felling wax candles or fpermaceti candles, or to pay the faid duty of five fhillings during the fame year; but it fhall be lawful for fuch perfon or perfons fo taking out fuch licence for making wax candles or fpermaceti candles, and paying the faid duty for the fame, to trade in or fell wax candles or fpermaceti candles during the year he, fhe, or they fhall be fo licenfed to make the fame, without taking out any other licence for trading in or felling wax candles or fpermaceti candles.

XV. And be it further enacted by the authority aforefaid, That fuch of the faid duties as are charged upon licences in *England, Wales, or the town of Berwick upon Tweed*, fhall be under

under the management of the commissioners and officers of his Majesty's revenue of excise in *England*; and such of the said duties as are charged upon such licences in *Scotland*, shall be under the management of the commissioners and officers of excise in *Scotland*; and all the monies arising by the said licences, and by the duties by this act imposed upon wax candles or spermaceti candles made in *Great Britain* (the necessary charges of raising and accounting for the same excepted,) shall, from time to time, be paid into the receipt of his Majesty's exchequer at *Westminster*; and are hereby appropriated and shall be applied, one moiety thereof to the same uses and purposes, in such manner, and under such regulations, as the monies arising by the duties imposed by the aforesaid act of the eighth year of Queen *Anne*, upon wax candles made in *Great Britain*, now are appropriated unto and directed to be applied; and the other moiety thereof to the same uses and purposes, in such manner and under such regulations, as the monies arising by the duties imposed by the aforesaid act of the ninth year of Queen *Anne*, upon wax candles made in *Great Britain*, now are appropriated unto and directed to be applied.

under the management of the commissioners of excise in *England* and *Scotland* respectively.

Duties to be paid into the exchequer.

Application thereof.

XVI. And be it further enacted by the authority aforesaid, That all and every the powers, directions, rules, penalties, forfeitures, clauses, matters, and things, which in and by any act, statute, or law, made and now in force, relating to his Majesty's revenue of excise, are provided and established for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the excise or inland duty or duties upon candles, or upon any licences granted by the commissioners of excise or inland duties, shall be practised, used, and put in execution in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said duties by this act imposed upon wax candles and upon spermaceti candles made in *Great Britain*, and upon licences for making wax candles or spermaceti candles, and licences for trading in or selling wax candles or spermaceti candles, as fully and effectually as if all and every the said powers, rules, directions, penalties, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in this present act.

All the powers and penalties in former acts relative to the inland duties on candles, to be in force in the execution of this act.

XVII. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures imposed by this act shall be sued for, levied, and recovered, or mitigated, by such ways, means, or methods, as any fine, penalty, or forfeiture may be recovered or mitigated by any law or laws of excise, or by action, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland*; and that one moiety of every such fine, penalty, and forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him, her, or them who shall inform, sue for, or discover the same.

Penalties and forfeitures how to be recovered and applied.

XVIII. And be it further enacted by the authority aforesaid, That if any action or suit shall be brought or commenced a-

Limitation against actions.

General iſſue.

gainſt any perſon or perſons for any matter or thing by him, her, or them done or executed by virtue of or in purſuance of this act ſuch action or ſuit ſhall be commenced within three months next after the matter or thing done, and ſhall be laid in the proper county; and the defendant or defendants in ſuch action or ſuit may plead the general iſſue, and give this act and the ſpecial matter in evidence at any trial to be had thereupon, and that the ſame was done in purſuance of and by authority of this act; and if afterwards a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their action or proſecution, or judgement ſhall be given againſt him, her, or them, upon demurrer or otherwiſe, then ſuch defendant or defendants ſhall have treble coſts awarded to him, her, or them, againſt ſuch plaintiff or plaintiffs.

Treble coſts.

C A P. XXXVII.

An act for granting to his Maſteſty certain additional rates of poſtage for conveyance of letters and packets, by the poſt, within the kingdom of Great Britain; for preventing frauds in the revenue, carried on by the conveyance of certain goods in letters and packets; and for further preventing frauds and abuſes in relation to the ſending and receiving of letters and packets free from poſtage.

Moſt gracious Sovereign,

Preamble.

WE, your Maſteſty's moſt dutiful and loyal ſubjects, the commons of *Great Britain*, in parliament aſſembled, towards raiſing, by the moſt eaſy means, the neceſſary ſupplies to defray your Maſteſty's publick expences, have freely and voluntarily reſolved to give and grant unto your Maſteſty the additional rates and duties herein-after mentioned; and do moſt humbly beſeech your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent Maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the thirty-fiſt day of *Auguſt*, one thouſand ſeven hundred and eighty-four, it ſhall and may be lawful to and for his Maſteſty's poſtmaſter general, and his deputy and deputies by him thereunto ſufficiently authorized, to and for the uſe of his Maſteſty, his heirs and ſucceſſors, to demand, have, receive, and take, for the port and conveyance of all ſuch letters and packets which he ſhall convey, carry, or ſend poſt within the kingdom of *Great Britain*, according to the ſeveral rates and ſums hereafter mentioned, the ſame being rated by the letter or by the ounce, in addition to all other rates and duties, now payable for the conveyance of letters and packets by the poſt within the ſaid kingdom, by any act or acts of parliament now in force; that is to ſay;

From Aug. 31, 1784, the following additional rates of poſtage to be taken for all letters and packets in Great Britain; videlicet,

For

For the port and conveyance of every single letter, so conveyed or carried by the post as aforesaid, not exceeding one whole post stage from the office where such letter may be put in, within the said kingdom of *Great Britain*, the sum of one penny:

For every double letter, two-pence:

Double, 2 d.

For every treble letter, three-pence:

Treble, 3 d.

And for every ounce in weight, four-pence; and so in proportion for every packet of deeds, writs, or other things:

Ounce wt. 4 d.

And for the port and conveyance of every single letter, conveyed or carried by the post above one post stage, and not exceeding two post stages, from the office where such letter may be put in, within that part of the said kingdom of *Great Britain* called *England*, the sum of one penny:

Two post stages, (in *England*;) single letter, 1 d.

For every double letter, two-pence:

Double, 2 d.

For every treble letter, three-pence:

Treble, 3 d.

And for every ounce in weight, four-pence; and so in proportion for every packet of writs, deeds, or other things:

Ounce wt. 4 d.

And for the port and conveyance of every single letter, conveyed or carried by the post above two post stages, and not exceeding eighty *English* miles, distant from the office where such letter may be put in, within that part of the said kingdom of *Great Britain* called *England*, the sum of one penny:

Eighty miles; single letter, 1 d.

For every double letter, two-pence:

Double, 2 d.

For every treble letter, three-pence:

Treble, 3 d.

And for every ounce in weight, four-pence; and so in proportion for every packet of writs, deeds, or other things:

Ounce wt. 4 d.

And for the port and conveyance of every single letter, conveyed or carried by the post above eighty *English* miles, and not exceeding one hundred and fifty *English* miles distant from the office where such letter may be put in, within that part of the said kingdom of *Great Britain* called *England*, the sum one penny:

150 miles; single letter, 1 d.

For every double letter, two-pence:

Double, 2 d.

For every treble letter three-pence:

Treble, 3 d.

And for every ounce in weight, four-pence; and so in proportion for every packet of writs, deeds, or other things:

Ounce wt. 4 d.

And for the port and conveyance of every single letter, conveyed or carried by the post above one hundred and fifty *English* miles distant from the office where such letter may be put in, within that part of the said kingdom of *Great Britain* called *England*, the sum of two-pence:

Above 150 miles; single letter, 2 d.

For every double letter, four-pence:

Double, 4 d.

For every treble letter, sixpence:

Treble, 6 d.

And for every ounce in weight, eight-pence; and so in proportion for every packet of writs, deeds, or other things:

Ounce wt. 8 d.

And for the port or conveyance of every single letter, conveyed or carried by the post from the general post office in the city of *London*, unto the city of *Edinburgh*, in that part of *Great Britain* called *Scotland*, or from thence to the said general post office in the said city of *London*, and to and from *Dumfries* and

From *London* to *Edinburgh*, &c. single letter, 1 d.

and *Cockburnspath*, and between either of those places and the said city of *Edinburgh*, the sum of one penny :

Double, 2d.

For every double letter, two-pence :

Treble, 3d.

For every treble letter, three-pence :

Ounce wt. 4d.

And for every ounce in weight, four-pence ; and so in proportion for every packet of writs, deeds, or other things :

Fifty English miles, (in Scotland,) single letter, 1d.

And for the port and conveyance of every single letter, conveyed or carried by the post above one post stage, and not exceeding fifty *English* miles, distant from the office where such letter may be put in, within that part of the said kingdom of *Great Britain* called *Scotland*, the sum of one penny :

Double, 2d.

For every double letter, two-pence :

Treble, 3d.

For every treble letter, three-pence :

Ounce wt. 4d.

And for every ounce in weight, four pence ; and so in proportion for every packet of writs, deeds, or other things :

Eighty miles ; single letter, 1d.

And for the port and conveyance of every single letter, conveyed or carried by the post above fifty *English* miles, and not exceeding eighty *English* miles distant from the office where such letter may be put in, within that part of the said kingdom of *Great Britain* called *Scotland*, the sum of one penny :

Double, 2d.

For every double letter, two-pence :

Treble, 3d.

For every treble letter, three-pence :

Ounce wt. 4d.

And for every ounce in weight, four-pence ; and so in proportion for every packet of writs, deeds, or other things :

150 miles ; single letter, 1d.

And for the port and conveyance of every single letter, conveyed or carried by the post above eighty *English* miles, and not exceeding one hundred and fifty *English* miles, distant from the office where such letter may be put in, within that part of the said kingdom of *Great Britain* called *Scotland*, the sum of one penny :

Double, 2d.

For every double letter, two-pence :

Treble, 3d.

For every treble letter, three-pence :

Ounce, wt. 4d.

And for every ounce in weight, four-pence ; and so in proportion for every packet of writs, deeds, or other things :

Above 150 miles ; single letter, 2d.

And for the port and conveyance of every single letter, conveyed or carried by the post above one hundred and fifty *English* miles distant from the office where such letter may be put in, within that part of the said kingdom of *Great Britain* called *Scotland*, the sum of two-pence :

Double, 4d.

For every double letter, four-pence :

Treble, 6d.

For every treble letter, six-pence :

Ounce wt. 8d.

And for every ounce in weight, eight-pence ; and so in proportion for every packet of writs, deeds, or other things.

Restrictions relative to letters to or from *Glasgow* &c.

II. Provided always, and be it further enacted, That no letter or packet (not passing through *London*.) to or from *Glasgow*, or the intermediate places by the way of *Carlisle*, shall pay an higher rate of postage than if the same had passed through *Edinburgh*, to or from *Glasgow* ; and that no letter or packet, passing to or from *Edinburgh*, or any intermediate places in *England* and *Scotland*, north of *London*, shall be subject to an higher rate of postage

postage than seven-pence for a single letter, and so in proportion.

III. Provided always, and be it further enacted, That no letter or packet, together with the contents thereof, shall be taxed or rated at an higher rate of postage, according to the rates and duties granted by any former act or acts of parliament, or by this present act, than as a treble letter, unless the same shall be one ounce in weight; and that all letters and packets of the weight of one ounce shall be rated as four single letters, and so in proportion for every quarter of an ounce above the weight of one ounce, reckoning each quarter of an ounce as a single letter.

No letter under one ounce to be charged higher than as a treble letter, &c.

IV. And, for the prevention of frauds on the revenue, by the importation into this kingdom, in letters or packets sent by the post, of goods which are prohibited to be imported, or on the importation of which a duty is payable; be it further enacted, That from and after the passing of this act, whenever any foreign letter or packet, containing any inclosure, shall be received at any of the offices of the general post office, it shall and may be lawful for any of the officers employed in the said office to carry such letter or packet to any justice of peace, or other magistrate for the town, district, or county, in which such office shall be situate, and to make oath before such magistrate; that he suspects the same to contain goods which are prohibited to be imported, or on the importation of which a duty is payable; and it shall then be lawful for him, in the presence of the said magistrate, to cut with a penknife in and through the folds of the said letter or packet, and its inclosure or inclosures, one opening or slit not exceeding two inches in length; and if it shall then appear to the said magistrate that any such goods as aforesaid are contained therein, he shall proceed forthwith to open the said letter or packet, and shall immediately, in presence of the said officer, destroy such goods; and in such case, the magistrate shall inclose such letter or packet in a cover, in which shall be written an attestation signed by him, containing the name of the officer by whom such letter or packet shall have been brought to him, the time of its been so brought, and the quantity and description of the goods found therein, and attesting that the same were then by him destroyed, and shall deliver the said letter or packet so inclosed, and also sealed by him, to the said officer, to be by him forwarded to the commissioners of his Majesty's customs, who shall, on the receipt thereof, cause to be paid to the said officer any sum not exceeding five pounds, nor less than ten shillings.

Directions relative to foreign letters suspected of containing prohibited goods, &c.

If any such goods found therein they are to be destroyed.

V. And be it further enacted, That if, on making such opening as aforesaid in such letter or packet, no such goods shall be found therein, the said magistrate shall then inclose the same in a cover, with an attestation signed by him, that the opening in such letter or packet was made in his presence, and shall deliver the same, sealed up, to the said officer, to be transmitted by the ordinary course of the post to the person or persons to whom

If no such goods are found, the magistrate shall inclose the letter in a cover, with a proper attestation.

whom fuch letter or packet fhall have been directed when it was received at the poft office: provided always, That no additional poftage fhall be charged on any fuch letter or packet in confequence of thefe proceedings, nor fhall any letter or packet be detained thereby beyond the due and regular courfe of the poft, except in cafes of the moft urgent neceffity.

Not to extend
to the penny
poft.

VI. Provided always, and be it further enacted, That nothing herein-before contained fhall extend, or be conftrued to extend, to alter, or in anywife to affect the rates or fums to be paid for letters or packets paffing by the carriage called *The Penny Poft*.

Act 4 Geo. 3.
c. 24.

VII. *And whereas, notwithstanding the feveral provifions made in an act paffed in the fourth year of the reign of his prefent Majefty, intituled, An act for preventing frauds and abufes in relation to the fending and receiving of letters and packets free from the duty of poftage, divers perfons have prefumed to counterfeit the hand writing, and otherwife fraudulently to make ufe of the names of members of parliament in the fuperscription of letters and packets fent by the poft, with intent to avoid the payment of the duty of poftage;* in order therefore to put the more effectual flop to thefe frauds and abufes, be it further enacted, That, from and after the end of this prefent feffion of parliament, fo long as the revenue arifing in the general letter office, or poft office, or office of poft-mafter general, fhall continue to be carried to, and made part of, the aggregate fund, no letter or packet, fent by the poft from any place whatfoever within the kingdom of *Great Britain*, directed by any member of either of the two houfes of parliament of *Great Britain*, fhall be exempted from paying the duty of poftage according to the rates eftablifhed by the feveral acts of parliament now in force, and by this prefent act, unlefs the whole fuperscription upon every letter or packet fo fent fhall be of the hand writing of the member directing the fame, and fhall have indorfed thereon the name of fuch member, together with the name of the poft town from which the fame is intended to be fent, and the day, month, and year, when the fame fhall be to be put into the poft office, the day of the month to be in words at length, and the whole to be of the hand writing of the member; and alfo unlefs every fuch letter or packet fhall be put into the general poft office, or other poft office, or into any receiving houfe or place appointed by his Majefty's poft-mafter general for the receipt of letters and packets to be forwarded by the poft, on the day of the date put upon fuch letter

Reftrictions
relative to
franking let-
ters by mem-
bers of par-
liament.

What letters
directed to
members of
parliament
fhall be ex-
empted from
poftage.

or packet; and no letters or packets directed to any member of either of the two houfes of parliament of *Great Britain* fhall be exempted from paying the duty of poftage, unlefs fuch letters and packets as fhall, during the fitting of any feffion of parliament, or within forty days before, or forty days after any fummons or prorogation of the fame, be directed to any fuch member at the place where he fhall actually be at the time of the delivery thereof, or at his ufual place of refidence in *London*, or

at the house of parliament, or the lobby of the house of parliament, of which he is a member.

VIII. And be it enacted, That the several persons who, by virtue of any act or acts of parliament, are authorized, in right of their respective offices and employments, to send and receive letters free from the duty of postage, and their successors in such offices and employments, shall and may, during their continuance in such offices and employments, respectively send and receive letters and packets free from the duty of postage, in the same manner, and under such restrictions, as any member of either house of parliament may send and receive the same in pursuance of this act; and shall and may respectively send and receive votes, proceedings in parliament, and printed newspapers, free from the duty of postage, in such and the like manner as any member of either house of parliament may send and receive the same: provided always, That nothing herein contained shall extend, or be construed to extend, to the delivery of letters or packets sent or conveyed by the carriage called *The Penny Post*.

Persons who, by virtue of their offices, are authorized to send and receive letters duty-free, may continue so to do, under the same restrictions as members of parliament, &c.

Not to extend to the penny post.

IX. And be it further enacted, That if any person whatsoever shall, from and after the end of this present session of parliament, forge or counterfeit the hand writing of any person whatsoever, in the superscription of any letter or packet to be sent by the post, in order to avoid the payment of the duty of postage, or shall forge, counterfeit, or alter, or shall procure to be forged, counterfeited, or altered, the date upon the superscription of any such letter or packet, or shall write and send by the post, or cause to be written and sent by the post, any letter or packet, the superscription or cover whereof shall be forged or counterfeited, or the date upon such superscription or cover altered, in order to avoid the payment of the duty of postage, knowing the same to be forged, counterfeited, or altered; every person so offending, and being thereof convicted in due form of law, shall be deemed guilty of felony, and shall be transported for seven years.

Penalty on counterfeiting the hand writing of any person in the superscription of any letter, in order to evade the duty of postage.

X. And be it further enacted, That the several rates and duties herein-before granted shall be paid, from time to time, into the hands of the receiver general for the time being of the post office, who shall pay out of such rates and duties (the necessary charges of collecting, paying, and accounting for the same being first deducted) the full, clear, and entire weekly sum of two thousand three hundred pounds, of lawful money of *Great Britain*, into the receipt of the exchequer, for the purposes in this act mentioned, upon *Tuesday* in every week, if it be not an holiday, and if it be, then upon the next day that is not an holy day, as one week shall successively and immediately follow and succeed another; the first of the said weekly payments to begin and be made on *Tuesday* the thirtieth day of *November*, one thousand seven hundred and eighty-four; and in case the rates and duties hereby granted shall not be sufficient to answer the said weekly payments hereby directed to be made, that then and

Duties to be paid to the receiver general of the post office; and by him paid into the exchequer.

and fo often the deficiency and deficiencies thereof fhall be fupplied and made good out of the whole receipt of the rates and duties of poftage; and in cafe the rates and duties hereby granted fhall be more than fufficient to answer the faid weekly payments, that then, and fo often as it fhall fo happen, the overplus fhall be appropriated and applied to fuch and the fame ufes as the prefent rates and duties of poftage are refpectively now by law made applicable.

A book to be provided by the auditor, in which the weekly payments fhall be entered feparate from all others.
Application thereof.

XI. *And, to the end the faid weekly fum of two thoufand three hundred pounds may be made a fund or fecurity for the purpofes herein expreffed*; be it further enacted, That there fhall be provided and kept, in the office of the auditor of the receipt of the exchequer, a book or books, in which all the monies which fhall be paid in weekly as aforefaid, for or upon account of the faid rates and duties, fhall be entered feparate, apart, and diftinct from all other monies paid and payable to his Majefty, his heirs and fucceffors, upon any account whatsoever; and the faid weekly payments fhall be a fund for the payment of the feveral annuities and all fuch other charges and expences as are directed to be paid and payable, purfuant to an act of this prefent feflion of parliament, intituled, *An act for raifing a certain fum of money by way of annuities, and for eftablifhing a lottery.*

Defendants may plead the general iflue,

XII. And be it further enacted, That if any perfon or perfons fhall at any time or times be fued, molefted, or profecuted, for any thing by him or them done or executed in purfuance of this act, or of any claufe, matter, or thing herein contained, fuch perfon and perfons fhall and may plead the general iflue, and give the fpecial matter in evidence for his or their defence; and if upon the trial a verdict fhall pafs for the defendant or defendants, or the plaintiff or plaintiffs fhall become nonfuit, then fuch defendant or defendants fhall have treble cofts awarded to him or them againft fuch plaintiff or plaintiffs.

and fhall have treble cofts.

C A P. XXXVIII.

An act for repealing the feveral duties on tea, and for granting to his Majefty other duties in lieu thereof; and alfo feveral duties on inhabited houfes; and upon the importation of cocoa nuts and coffee; and for repealing the inland duties of excife thereon.

Moft gracious Sovereign,

Preamble.

WHEREAS the feveral rates and duties upon tea, expofed for fale in thefe kingdoms, amount together to fo confiderable a fum, in proportion to the value of that commodity, as to afford great encouragement to the fraudulent importation thereof, and have contributed greatly to other illicit practices highly detrimental to the revenue, and of dangerous confequences to the publick, the prevention of which is become an object of the utmoft importance; we, your Majefty's moft dutiful and loyal fubjects, the commons of Great Britain; in parliament afsembled, do therefore think it would be for the advantage

advantage of the publick to repeal the feveral duties impofed upon tea, and in lieu thereof to grant unto your Majefty the feveral new duties herein-after mentioned: and we do moft humbly befeech your Majefty that it may be enacted; and be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament afsembled, and by the authority of the fame, That from and after the fifteenth day of *September*, one thoufand feven hundred and eighty-four, the feveral rates, duties, and other impositions upon tea imported, fold, or ufed in this kingdom, fhall ceafe, determine, and be no longer paid or payable.

From Sept. 15, 1784, the duties on tea fhall ceafe.

II. And be it further enacted by the authority aforefaid, That the united company of merchants of *England* trading to the *East Indies* fhall be, and they are hereby difcharged, of and from the payment of all duties whatfoever, by any act or acts heretofore impofed upon all tea, the property of the faid united company, which fhall, on the faid fifteenth day of *September*, one thoufand feven hundred and eighty-four, remain in the warehoufes of the faid company in *Great Britain*, under the lock, or in the cuftody of the officers of his Majefty's revenue, having charge thereof.

East India company difcharged from payment of duties on tea in their warehoufes, &c. at that period.

III. And be it further enacted by the authority aforefaid, That upon all tea which, from and after the faid fifteenth day of *September*, one thoufand feven hundred and eighty-four, fhall be delivered to the buyers thereof by the faid united company, there fhall be paid to the King's majefty, his heirs and fucceffors, by the purchafer or purchafers of fuch tea, a duty of twelve pounds ten fhillings *per centum*, to be computed upon the grofs prices at which fuch tea fhall be fold; which duty fhall be paid, by the faid purchafer or purchafers, to the faid united company, at fuch time or times as fhall, by the conditions of fuch fates, be from time to time appointed for payment of the price of fuch tea, to the faid united company; and that the faid united company fhall at all times, together with the proper officers of the cuftoms, make up an account of twelve pounds ten fhillings *per centum*, to be computed upon the grofs prices at which fuch tea fhall be fold, and pay the fame to the collector inwards of his Majefty's cuftoms, within thirty days after the expiration of each quarterly fale, which duty fhall be again drawn back and repaid upon the exportation of fuch tea to any place where a drawback of the duties is now allowed by law.

For all tea delivered by the company to the purchafers thereof after that period, there fhall be paid a duty of 12l. 10s. per cent.

which fhall be drawn back upon exportation, &c.

IV. And it is hereby further enacted by the authority aforefaid, That all tea upon which the duty hereby impofed fhall not have been paid, and which, from and after the faid fifteenth day of *September*, one thoufand feven hundred and eighty-four, fhall be entered for exportation to any place where a drawback of the duties is allowed by law, fhall and may be delivered from fuch warehouse wherein the fame fhall be fecured as aforefaid for that purpofe, free of any duty, fubject to the fame rules, regulations,

All tea in fuch warehoufes, on Sept. 15, 1784, for which the duty fhall not have been paid, and entered for ex-

portation, &c. shall be delivered from the warehouses free of duty.

regulations, restrictions, securities, penalties, and forfeitures, in all other respects, to which such tea would have been liable if the duty thereon had been paid and drawn back as hereinbefore directed.

Directions for the company relative to their sales of tea.

V. *And whereas it is just and reasonable that the said united company should, in consideration of the great benefit which may result to their commerce from the reduction of duties hereby made, contribute their utmost endeavours for securing to the publick the full benefit which will arise from an immediate and permanent reduction of prices;* be it further enacted by the authority aforesaid, That the said united company shall, as soon as may be after the passing of this act, put up and expose to publick sale, at the least, five millions of pounds weight of tea; and shall, in like manner, at some other time before the thirty-first day of December, one thousand seven hundred and eighty-four, make another sale, at which they shall, in the like manner, put up, at the least, two millions five hundred thousand pounds weight of tea; and shall thenceforward continue to make, at the least, four sales in every year, and, as near as conveniently may be, at equal distances of time, and shall put up at such sales such quantities of tea as shall be judged sufficient to supply the demand; and that at each and every such sale, the tea so put up shall be sold without reserve to the highest bidder, provided an advance of one penny per pound shall be bid upon the prices at which the same shall be put up; and that at the four first sales, which shall be made after the passing of this act, the prices at which the said tea shall be put up and exposed to sale shall not exceed the following rates, *videlicet*,

Restriction of the prices put up at the first four sales:

Bohea, 1s. 7 d.
per pound;
Congo, 2s. 5d.
Souchong,
3s. 3 d.
Single, 3s. 3d.
Hyson, 4s. 11 d.

For bohea tea, one shilling and seven-pence per pound;
For congo tea, two shillings and five-pence per pound;
For souchong tea, three shillings and three-pence per pound;
For single tea, three shillings and three-pence per pound;
For hyson tea, four shillings and eleven-pence per pound:

Restriction at all future sales.

Company to keep a proper stock of tea in their warehouses, &c.

And that it shall not be, at any time hereafter, lawful for the said united company to put up their tea for sale at any prices which shall, upon the whole of the tea so put up at any one sale, exceed the prime cost thereof, with the freight and charges of importation, together with lawful interest from the time of the arrival of such tea in Great Britain, and the common premium of insurance, as a compensation for the sea risk incurred thereon; and that the said united company shall from time to time send orders for the purchase of such quantities of tea, and provide sufficient ships to import the same, as, being added to the stock in their warehouses, and to the quantities ordered and not arrived, shall amount to a sufficient supply for the keeping a stock at least equal to one year's consumption, according to the sales of the last preceding year, always beforehand; and that the said united company shall, from time to time, lay before the lord high treasurer, or the commissioners of the treasury for

for the time being, copies of the accounts and estimates upon which. such orders for importation, or prices for sale, or quantities put up to sale, shall be grounded, whenever such orders shall be sent out, or such sales made, or as often as they shall be called upon for the same, by the said lord high treasurer, or any three or more of the said commissioners of the treasury for the time being.

VI. And whereas, for the relief of all persons now possessed of tea bought of the said united company, but remaining in their warehouses as aforesaid, it hath been agreed by the said united company, in compliance with the unanimous opinion of a general meeting of the said persons, to take back from them all such tea at prime cost, as shall, on the said fifteenth day of October, one thousand seven hundred and eighty-four, remain in the warehouses of the said company in entire lots, or in lots not diminished after the date of such agreement; be it further enacted by the authority aforesaid, That all bargains made by the said united company respecting such tea as is herein-before described, as (having been sold at their sales) shall, on the said fifteenth day of September, one thousand seven hundred and eighty-four, remain in their warehouses not delivered to the buyers thereof, shall be, and they are hereby declared to be, null and void; and that the said company shall forthwith grant to each of the said buyers a certificate of the sum of money which each of the said buyers shall have paid to the said united company in respect thereof; which certificates shall be received by the said company as and in lieu of cash to the same amount, in payment for any tea bought at their next ensuing sale; or, if not so tendered in payment, the said company shall, upon demand, at any time after the prompt day, or day of payment, to be appointed for tea to be so bought at their next sale, pay the same in cash to the holder thereof.

Clause relative to tea sold by the company, but which shall remain in their warehouses, in entire lots, &c. on Sept. 15, 1784.

VII. And be it further enacted, That it shall and may be lawful for all and every tea dealer, not residing within the bills of mortality, or the borough of Southwark, who shall, at the time of passing this act, have in his, her, or their possession, one or more entire chest or chests of tea in the same package in which it was originally imported into this kingdom by the united company of merchants trading to the East Indies, and for which the inland duties shall have been paid by or in the name of such dealer, and which shall have been purchased at either of the two last sales of the said company, and which shall have been conveyed directly from the warehouses of the said company to the warehouse or shop of such tea dealer, to return such chest or chests of tea, by the most proper and speedy conveyance, to the warehouse keeper of the said company; a list of which chests, containing an account of the number of each chest, the weight of tea contained in it, and the price which it cost at the company's sale, together with the name of the ship in which it was imported, and the folio in which it was printed in the company's sale book, shall be delivered to the warehouse keeper of the said company within eight days after the passing of this act;

Tea dealers not residing within the bills of mortality, or borough of Southwark, who are possessed of any chests of tea in the package wherein it was imported; &c.

may return the same to the company's warehouse keeper;

And if the company are fatisfied fuch tea has not been unpacked, &c. they are to allow the dealer the prime coft paid for the fame, &c.

and the faid cheft or chefts of tea fhall be taken into the warehoufes of the faid company; and if it fhall appear, to the fatisfaction of the faid company, that the tea which is contained in any cheft fo returned has not been unpacked fince it was delivered from the warehoufes of the faid company, but is the fame which was originally contained therein, then the prime coft of fuch cheft or chefts of tea, which fhall have been paid by fuch dealer or dealers, fhall be allowed to fuch dealer or dealers, in part of payment for fuch tea purchafed at the next fale of the *East India* company; but if the faid *East India* company fhall be of opinion that the tea contained in fuch cheft or chefts fo returned is not the fame as was originally contained therein, or that any unfair practice fhall have been made ufe of, it fhall be lawful for the faid company to refufe fuch cheft or chefts of tea; and that, for every cheft of tea accepted, as herein-before provided, by the faid *East India* company, the commiffioners of excife fhall deliver a certificate of the fum of money which has been paid for the inland duties on the tea contained in fuch cheft, to the dealer returning the fame; and fuch certificate fhall be taken by the commiffioners of his Majefty's customs in payment of the customs which fhall be due on the teas to be purchafed at the next fale of the *East India* company; provided that every dealer fhall, within five days after the paffing of this act, deliver to the excife officer who ufually furveyes the ftock of fuch dealer, a lift of the teas propofed to be returned to the warehoufes of the *East India* company, in all refpects fimilar to that herein-before directed to be delivered to the warehouse keeper of the faid company.

Company not obliged to receive any fuch cheft, unlefs the particulars herein mentioned are complied with.

VIII. Provided always, That no dealer fhall be permitted to return to the *East India* company any whole package either of green or black tea, unlefs it fhall appear that fuch dealer had in his ftock, at the laft furvey made thereof, previous to the firft day of *Auguft*, one thoufand feven hundred and eighty-four, as much of either or both of thofe forts, over and above the chefts fo intended to be returned, as would, according to his ufual confumption, to be computed upon the average of the laft four months previous to the faid firft day of *Auguft*, be fufficient to fupply the fame from that time till the fifteenth day of *September* next; and an account of the ufual confumption of fuch dealer, and of the amount of his ftock of green and black teas refpectively, at the time any whole packages are returned, fhall be tranfmitted, by the officer of excife who ufually furveyes fuch dealer, to the commiffioners of excife, and alfo to the warehouse keeper of the *East India* company; and fuch officer of excife fhall alfo tranfmit to the directors of the *East India* company an account of all teas which have, fince the twenty-fifth day of *July* laft, been taken into the ftock of any dealer who fhall fend any cheft of tea to be returned as aforefaid, to the end, that if it fhould appear to the faid directors that there is juft caufe to fufpect that any of the tea fo taken into the ftock of fuch dealer has not paid the full duties to which the fame by law was liable,

the ſaid directors may, in ſuch caſe, reſuſe to receive any teas whatever from ſuch dealer.

IX. *And whereas there are certain quantities of prize teas now remaining under the locks of his Maſteſty's officers of the cuſtoms and exciſe, for which the duties of cuſtoms have been paid, and certain other quantities of prize teas damaged by ſalt water are now remaining in two private warehouses under the ſurvey of his Maſteſty's officers of exciſe, where they were removed for the convenience of drying the ſame, for which the duties of cuſtoms and exciſe have been paid;* be it further enacted and declared, That it ſhall and may be lawful for the commiſſioners of his Maſteſty's treasury, or any three or more of them, to direct, by warrants under their hands, the commiſſioners of his Maſteſty's cuſtoms or exciſe reſpectively to repay to the owners or proprietors of ſuch teas the amount of the duties which have been received for ſuch part of the ſaid teas as ſhall be remaining in the cuſtody and under the ſurvey above mentioned, on the fifteenth day of September, one thouſand ſeven hundred and eighty-four; provided it ſhall be made appear, to the ſatisfaction of the ſaid commiſſioners of the treasury, that the duties on the ſaid teas, ſo remaining on the day above mentioned, have been actually received by the officers of the cuſtoms and exciſe: provided always, That the owners or proprietors of the ſaid teas ſhall pay the duty of eighteen pounds and ten ſhillings *per centum*, according to the prices at which the ſame were bought, for ſuch parts or parcels thereof as ſhall be remaining under the locks of his Maſteſty's officers of cuſtoms or exciſe, or under ſurvey in the two warehouses as above mentioned.

Owners of certain prize teas to be repaid the duties paid for ſuch part as ſhall remain in the warehouses on Sept. 25; 1784.

But for which they ſhall pay the duty of 18l. 10s. per cent.

X. And be it further enacted by the authority aforeſaid, That from and after the tenth day of October, one thouſand ſeven hundred and eighty-four, there ſhall be charged, raiſed, levied, and paid, unto his Maſteſty, his heirs and ſucceſſors, the ſeveral and reſpective additional rates and duties upon all inhabited houſes, as herein-after mentioned, according to the number of windows or lights in each; (that is to ſay),

From Oct. 10, 1784, the following additional duties to be paid for all inhabited houſes in Great Britain; videlicet,

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of Great Britain, which, with the houſehold and other offices, is or ought to be rated, under the authority of an act of the ſixth year of his preſent Maſteſty, intituled, *An act for repealing the ſeveral duties upon houſes, windows, and lights; and for granting to his Maſteſty other duties upon houſes, windows, and lights*, at three ſhillings, the additional yearly ſum of three ſhillings:

For every dwelling houſe, &c. rated by act 6 Geo. 3 c. 38. at 3s. an additional 3s. 1

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of Great Britain, which, with the houſehold and other offices, is or ought to be rated in like manner for ſeven windows, the additional yearly ſum of ſix ſhillings:

For every dwelling houſe, &c. rated for 7 windows, 6s. 1

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of Great Britain, which, with the houſehold

For 8 windows, 8s. 1

and other offices, is or ought to be rated in like manner for eight windows, the additional yearly ſum of eight ſhillings :

For 9 win-
dows, 10s. 6d.

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of *Great Britain*, which, with the houſehold and other offices, is or ought to be rated in like manner for nine windows, the additional yearly ſum of ten ſhillings and ſixpence :

For 10 win-
dows, 13s. 4d.

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of *Great Britain*, which, with the houſehold and other offices, is or ought to be rated in like manner for ten windows, the additional yearly ſum of thirteen ſhillings :

For 11 win-
dows, 15s. 6d.

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of *Great Britain*, which, with the houſehold and other offices, is or ought to be rated in like manner for eleven windows, the additional yearly ſum of fifteen ſhillings and ſixpence :

For 12 win-
dows, 18s.

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of *Great Britain*, which, with the houſehold and other offices, is or ought to be rated in like manner for twelve windows, the additional yearly ſum of eighteen ſhillings :

For 13 win-
dows, 21. 1s.

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of *Great Britain*, which, with the houſehold and other offices, is or ought to be rated in like manner for thirteen windows, the additional yearly ſum of one pound one ſhilling :

For 14 win-
dows, 21. 5s.

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of *Great Britain*, which, with the houſehold and other offices, is or ought to be rated in like manner for fourteen windows, the additional yearly ſum of one pound five ſhillings :

For 15 win-
dows, 21. 10s.

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of *Great Britain*, which, with the houſehold and other offices, is or ought to be rated in like manner for fifteen windows, the additional yearly ſum of one pound ten ſhillings :

For 16 win-
dows, 21. 15s.

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of *Great Britain*, which, with the houſehold and other offices, is or ought to be rated in like manner for ſixteen windows, the additional yearly ſum of one pound fifteen ſhillings :

For 17 win-
dows, 21. 2s.

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of *Great Britain*, which, with the houſehold and other offices, is or ought to be rated in like manner for ſeventeen windows, the additional yearly ſum of two pounds :

For 18 win-
dows, 21. 5s.

For every dwelling houſe, inhabited or to be inhabited, within the kingdom of *Great Britain*, which, with the houſehold and other offices, is or ought to be rated in like manner for eighteen windows, the additional yearly ſum of two pounds five ſhillings :

For every dwelling house, inhabited or to be inhabited, with- For 19 win-
in the kingdom of *Great Britain*, which, with the household dows, 2l. 10s.:

and other offices, is or ought to be rated in like manner for nineteen windows, the additional yearly sum of two pounds ten shillings;

For every dwelling house, inhabited or to be inhabited, with- For 20 win-
in the kingdom of *Great Britain*, which, with the household dows, 2l. 15s.:

and other offices, is or ought to be rated in like manner for twenty windows, the additional yearly sum of two pounds fifteen shillings:

For every dwelling house, inhabited or to be inhabited, with- For 21 win-
in the kingdom of *Great Britain*, which, with the household dows, 3l.:

and other offices, is or ought to be rated in like manner for twenty-one windows, the additional yearly sum of three pounds:

For every dwelling house, inhabited or to be inhabited, with- For 22 win-
in the kingdom of *Great Britain*, which, with the household dows, 3l. 5s.:

and other offices, is or ought to be rated in like manner for twenty-two windows, the additional yearly sum of three pounds five shillings:

For every dwelling house, inhabited or to be inhabited, with- For 23 win-
in the kingdom of *Great Britain*, which, with the household dows, 3l. 10s.:

and other offices, is or ought to be rated in like manner for twenty-three windows, the additional yearly sum of three pounds ten shillings:

For every dwelling house, inhabited or to be inhabited, with- For 24 win-
in the kingdom of *Great Britain*, which, with the household dows, 3l. 15s.:

and other offices, is or ought to be rated in like manner for twenty-four windows, the additional yearly sum of three pounds fifteen shillings:

For every dwelling house, inhabited or to be inhabited, with- For 25 to 29
in the kingdom of *Great Britain*, which, with the household windows, 4l.:

and other offices, is or ought to be rated in like manner for twenty-five windows, and not more than twenty-nine windows, the additional yearly sum of four pounds:

For every dwelling house, inhabited or to be inhabited, with- For 30 to 34
in the kingdom of *Great Britain*, which, with the household windows, 4l. 10s.:

and other offices, is or ought to be rated in like manner for thirty windows, and not more than thirty-four windows, the additional yearly sum of four pounds ten shillings:

For every dwelling house, inhabited or to be inhabited, with- For 35 to 39
in the kingdom of *Great Britain*, which, with the household windows, 5l.:

and other offices, is or ought to be rated in like manner for thirty-five windows, and not more than thirty-nine windows, the additional yearly sum of five pounds:

For every dwelling house, inhabited or to be inhabited, with- For 40 to 44
in the kingdom of *Great Britain*, which, with the household windows, 5l. 10s.:

and other offices, is or ought to be rated in like manner for forty windows, and not more than forty-four windows, the additional yearly sum of five pounds ten shillings:

For every dwelling house, inhabited or to be inhabited, with- For 45 to 49
in windows, 6l.:

in the kingdom of *Great Britain*, which, with the household and other offices, is or ought to be rated in like manner for forty-five windows, and not more than forty-nine windows, the additional yearly sum of six pounds :

For 50 to 54
windows,
6l. 10s. :

For every dwelling house, inhabited or to be inhabited, with-
in the kingdom of *Great Britain*, which, with the household
and other offices, is or ought to be rated in like manner for
fifty windows, and not more than fifty-four windows, the ad-
ditional yearly sum of six pounds ten shillings :

For 55 to 59
windows, 7l. :

For every dwelling house, inhabited or to be inhabited, with-
in the kingdom of *Great Britain*, which, with the household
and other offices, is or ought to be rated in like manner for
fifty-five windows, and not more than fifty-nine windows, the
additional yearly sum of seven pounds :

For 60 to 64
windows,
7l. 10s. :

For every dwelling house, inhabited or to be inhabited, with-
in the kingdom of *Great Britain*, which, with the household
and other offices, is or ought to be rated in like manner for
sixty windows, and not more than sixty-four windows, the ad-
ditional yearly sum of seven pounds ten shillings :

For 65 to 69
windows, 8l. :

For every dwelling house, inhabited or to be inhabited with-
in the kingdom of *Great Britain*, which, with the household
and other offices, is or ought to be rated in like manner for
sixty-five windows, and not more than sixty-nine windows, the
additional yearly sum of eight pounds :

For 70 to 74
windows,
8l. 10s. :

For every dwelling house, inhabited or to be inhabited, with-
in the kingdom of *Great Britain*, which, with the household
and other offices, is or ought to be rated in like manner for
seventy windows, and not more than seventy-four windows,
the additional yearly sum of eight pounds ten shillings :

For 75 to 79
windows, 9l. :

For every dwelling house, inhabited or to be inhabited, with-
in the kingdom of *Great Britain*, which, with the household
and other offices, is or ought to be rated in like manner for
seventy-five windows, and not more than seventy-nine win-
dows, the additional yearly sum of nine pounds :

For 80 to 84
windows,
9l. 10s. :

For every dwelling house, inhabited or to be inhabited, with-
in the kingdom of *Great Britain*, which, with the household
and other offices, is or ought to be rated in like manner for
eighty windows, and not more than eighty-four windows, the
additional yearly sum of nine pounds ten shillings :

For 85 to 89
windows, 10l. :

For every dwelling house, inhabited or to be inhabited, with-
in the kingdom of *Great Britain*, which, with the household
and other offices, is or ought to be rated in like manner for
eighty-five windows, and not more than eighty-nine windows,
the additional yearly sum of ten pounds :

For 90 to 94
windows,
10l. 10s. :

For every dwelling house, inhabited or to be inhabited, with-
in the kingdom of *Great Britain*, which, with the household
and other offices, is or ought to be rated in like manner for
ninety windows, and not more than ninety-four windows, the
additional yearly sum of ten pounds ten shillings :

For 95 to 99
windows, 11l. :

For every dwelling house, inhabited or to be inhabited, with-
in the kingdom of *Great Britain*, which, with the household
and

and other offices, is or ought to be rated in like manner for ninety-five windows, and not more than ninety-nine windows, the additional yearly sum of eleven pounds:

For every dwelling house, inhabited or to be inhabited, with- For 100 to 109
in the kingdom of *Great Britain*, which, with the household windows, 121:2
and other offices, is or ought to be rated in like manner for one hundred windows, and not more than one hundred and nine windows, the additional yearly sum of twelve pounds:

For every dwelling house, inhabited or to be inhabited, with- For 110 to 119
in the kingdom of *Great Britain*, which, with the household windows, 131:2
and other offices, is or ought to be rated in like manner for one hundred and ten windows, and not more than one hundred and nineteen windows, the additional yearly sum of thirteen pounds:

For every dwelling house, inhabited or to be inhabited, with- For 120 to 129
in the kingdom of *Great Britain*, which, with the household windows, 141:2
and other offices, is or ought to be rated in like manner for one hundred and twenty windows, and not more than one hundred and twenty-nine windows, the additional yearly sum of fourteen pounds:

For every dwelling house, inhabited or to be inhabited, with- For 130 to 139
in the kingdom of *Great Britain*, which, with the household windows, 151:2
and other offices, is or ought to be rated in like manner for one hundred and thirty windows, and not more than one hundred and thirty-nine windows, the additional yearly sum of fifteen pounds:

For every dwelling house, inhabited or to be inhabited, with- For 140 to 149
in the kingdom of *Great Britain*, which, with the household windows, 161:2
and other offices, is or ought to be rated in like manner for one hundred and forty windows, and not more than one hundred and forty-nine windows, the additional yearly sum of sixteen pounds:

For every dwelling house, inhabited or to be inhabited, with- For 150 to 159
in the kingdom of *Great Britain*, which, with the household windows, 171:2
and other offices, is or ought to be rated in like manner for one hundred and fifty windows, and not more than one hundred and fifty-nine windows, the additional yearly sum of seventeen pounds:

For every dwelling house, inhabited or to be inhabited, with- For 160 to 169
in the kingdom of *Great Britain*, which, with the household windows, 181:2
and other offices, is or ought to be rated in like manner for one hundred and sixty windows, and not more than one hundred and sixty-nine windows, the additional yearly sum of eighteen pounds:

For every dwelling house, inhabited or to be inhabited, with- For 170 to 179
in the kingdom of *Great Britain*, which, with the household window 2
and other offices, is or ought to be rated in like manner for one hundred and seventy windows, and not more than one hundred and seventy-nine windows, the additional yearly sum of nineteen pounds:

For every dwelling house, inhabited or to be inhabited, with-

And for 180
windows, and
upwards, 201.

in the kingdom of Great Britain, which, with the household and other offices, is or ought to be rated in like manner for one hundred and eighty windows, and upwards, the additional yearly sum of twenty pounds.

Persons occu-
pying three
or more
houses, to
pay for only
those two
which contain
the greatest
number of
windows.

XI. And whereas it may happen that one and the same person is the occupier or inhabitant of three or more houses at the same time, which, under the directions and provisions of this act, must necessarily be charged with the rates and duties hereby imposed, unless specially provided for; and it not being intended that such persons should be liable to pay the said rates and duties for more than two such houses; it is therefore hereby enacted and declared by the authority aforesaid, That no one person shall be subjected to the payment of any of the rates and duties by this act imposed for more than two houses which he or she shall occupy at the same time: provided always, That each person shall, in all cases, pay the said rates and duties for two such houses as shall contain the greatest number of windows of any two houses in his or her occupation.

Clause for re-
lief of persons
occupying
more than
two houses.

XII. And, in order to provide for the relief of such persons as may be the occupiers or inhabitants of three or more houses charged with and assessed for the duties hereby imposed at the same time, it is further enacted and declared, That every such person, intending to be relieved from the payment of more than two thereof, shall, when called upon by the collectors of the several parishes or places, for the payment of the rates and duties imposed by this act, or previous thereto, by him or herself, his or her agent or servants, deliver, or cause to be delivered, to them, in every such parish or place wherein any house in his or her occupation, other than the two severally containing the greatest number of windows, is situated, a declaration in writing of the two houses in his or her occupation for which he or she is to pay; on receiving which such collectors as aforesaid shall discharge from their book or books the charges or rates made for every such house hereby intended to be exempted; which notice or declaration the said collectors are hereby directed to deliver over to the surveyor or inspector for the district in which such parish or place shall be situated, for their information, and in order to their making an entry of the same in their books, and for enabling them to make a proportionable deduction from the charge against such collectors.

Persons not
paying for
such two
houses, ac-
cording to the
notice given
to the collec-
tors, to forfeit
501.

XIII. And be it further enacted and declared, That if any person or persons shall omit or neglect to pay for such two houses in their occupation, containing the greatest number of windows, according to the notice they shall give to the collectors in the parishes or places in which they have houses for which they shall claim exemption, he, she, or they shall forfeit and pay, for every such offence, the sum of fifty pounds.

The aforesaid
rates to be
paid in addi-

XIV. Provided nevertheless, and it is the true intent and meaning of this act, That the said several rates and duties hereby respectively charged as aforesaid shall be paid, over and above,
and

and in addition to the reſpective duties charged upon houſes and windows by virtue of an act, made in the ſixth year of the reign of his preſent Maſteſty, intituled, *An act for repealing the ſeveral duties upon houſes, windows, and lights; and for granting to his Maſteſty other duties upon houſes, windows, and lights; and of another act, made in the nineteenth year of the reign of his preſent Maſteſty, intituled, An act for repealing the duties on all inhabited houſes, impoſed by an act made in the laſt ſeſſion of parliament; and for granting to his Maſteſty other duties upon all inhabited houſes in Great Britain; and for amending the ſaid act: and alſo for amending ſo much of an act made in the ſeventeenth year of the reign of his preſent Maſteſty, as impoſes a duty on all ſervants retained or employed in the ſeveral capacities therein mentioned.*

XV. Provided always, and be it further enacted by the authority aforeſaid, That aſſeſſments ſhall be made out for raiſing the duties upon inhabited houſes by this preſent act impoſed, from the tenth day of *October*, one thouſand ſeven hundred and eighty-four, to the fifth day of *April*, one thouſand ſeven hundred and eighty-five; which aſſeſſment ſhall be certified by the aſſeſſors, and returned by them to the commiſſioners, on or before the third day of *December*, one thouſand ſeven hundred and eighty-four; and that the ſurveyors ſhall and may, on or before the twentieth day of *February*, one thouſand ſeven hundred and eighty-five following, certify their ſurcharges for raiſing the ſaid duties for the ſaid two quarters, to the ſaid commiſſioners; and all appeals, in reſpect to the ſaid two quarters aſſeſſments, ſhall and may be heard and determined between the ſixth day of *March*, one thouſand ſeven hundred and eighty-five, and the fourth day of *April* following; and that from and after the fifth day of *April*, one thouſand ſeven hundred and eighty-five, the ſaid duties ſhall be aſſeſſed annually for one whole year, to commence from the fifth day of *April* in each year; and that in all future years the aſſeſſment ſhall be made out and certified, and the ſurcharges certified, and the appeals heard, at the ſame time as the aſſeſſments, ſurcharges, and appeals, are made, certified, and heard, on the duties on houſes and windows.

XVI. And be it further enacted by the authority aforeſaid, That the ſaid ſeveral duties by this act granted ſhall, in that part of *Great Britain* called *England*, be paid quarterly, on the four moſt uſual days of payment in the year; (that is to ſay), on the fifth day of *January*, the fifth day of *April*, the fifth day of *July*, and the tenth day of *October* in every year, by equal portions; the firſt payment thereof to be made on the fifth day of *January*, one thouſand ſeven hundred and eighty-five; and in that part of *Great Britain* called *Scotland*, on or before the twenty-fifth day of *March*, yearly, for the half year betwixt *Martinmas-day* and *Whitſunday*, and on or before the twenty-ninth day of *September* yearly, for the half year betwixt *Whitſunday* and *Martinmas*.

XVII. And be it further enacted by the authority aforeſaid, That the ſaid duties granted by this act ſhall be charged only upon

tion to thoſe charged by Act 6 Geo. 3. c. 38.;

and 19 Geo. 3. c. 59.

Aſſeſſments to be made out from Oct. 10, 1784, to April 5, 1785, &c.

Appeals therefrom when to be heard.

From April 5, 1785, the duties to be aſſeſſed annually.

Duties in England, to be paid quarterly;

and in Scotland, half-yearly.

Duties to be charged on the occupiers of houſes.

upon the inhabitants or occupiers for the time being of the houses or tenements hereby charged, his, her, or their respective executors or administrators, and not on the landlord or landlords who let or demise the same (except in the cases herein-after mentioned), any covenant or agreement made or entered into previous to the passing of this act, relative to the payment of any duties or assessments imposed, or to be imposed upon such houses or tenements, or upon such inhabitants or occupiers, in respect thereof, to the contrary notwithstanding.

Poor people exempted from church and poor rates, not liable.

XVIII. Provided always, and it is hereby enacted by the authority aforesaid, That no duty shall be imposed, assessed, or levied, by virtue of this act, for or in respect of any dwelling house, cottage, or tenement, whereof the occupier or occupiers, by reason of his, her, or their poverty only, is or are exempted from the actual payment of the usual taxes, assessments, and contributions towards the church and poor.

The duties to be assessed and collected in the same manner, and under the same penalties, &c. as those granted by the following acts:

20 Geo. 2. c. 3.;

XIX. And be it further enacted by the authority aforesaid, That the said several rates and duties by this act imposed shall be assessed, raised, levied, collected, and received by persons to be appointed by the same authority, for the purposes herein-after expressed, in such and the like form and manner, and with such allowances, and under such penalties, forfeitures, and disabilities, and according to such rules, methods, and directions, as are prescribed and appointed for assessing, raising, levying, collecting, receiving, and paying the duties on houses, windows, or lights, in and by an act of parliament made in the twentieth year of the reign of his late majesty King George the Second, intituled, *An act for repealing the several rates and duties upon houses, windows, and lights; and for granting to his Majesty other rates and duties upon houses, windows, or lights; and for raising the sum of four millions four hundred thousand pounds by annuities, to be charged on the said rates or duties; and by another act, made in the twentieth year of the reign of his said late Majesty, intituled, An act to enforce the execution of an act of this session of parliament for granting to his Majesty several rates and duties upon houses, windows, or lights; and by another act, made in the twenty-first year of his said late Majesty's reign, intituled, An act for explaining, amending, and further enforcing the execution of an act passed in the last session of parliament, intituled, An act for repealing the several rates and duties upon houses, windows, and lights; and for granting to his Majesty other rates and duties upon houses, windows, or lights; and for raising the sum of four millions four hundred thousand pounds by annuities, to be charged on the said rates or duties; and by an act, made in the twenty-sixth year of the reign of his said late Majesty, intituled, An act for the more effectual levying of the duties upon windows or lights, in that part of Great Britain called Scotland; and by an act, made in the thirty-first year of the reign of his said late Majesty, intituled, An act for granting to his Majesty several rates and duties upon offices and pensions; and upon houses; and upon windows or lights; and for raising the sum of five millions by annuities*

20 Geo. 2. c. 42.;

21 Geo. 2. c. 10.;

26 Geo. 2. c. 17.;

31 Geo. 2. c. 22.;

monies and a lottery, to be charged on the said rates and duties; and by an act, made in the second year of the reign of his present Majesty, intituled, An act for granting to his Majesty several rates and duties upon windows or lights; and by the said herein-before mentioned act, made in the sixth year of the reign of his present Majesty; and by two acts for granting to his Majesty certain duties upon all inhabited houses within the kingdom of Great Britain, made in the eighteenth and nineteenth years of the reign of his present Majesty, or by any of them, so far as the same now remain in force, or are not altered by this act; and that all and every the powers, authorities, rules, directions, penalties, forfeitures, clauses, matters, and things, now in force, contained in the said several acts, or any of them, for the assessing, raising, levying, collecting, and paying the rates and duties thereby granted, shall be in full force, and be duly observed, practised, and put in execution, throughout the whole kingdom of Great Britain, for the assessing, raising, levying, collecting, and paying, the several duties upon all inhabited houses, by this act granted, as fully and effectually, to all intents and purposes, as the same are or may be, for the assessing, raising, levying, collecting, and charging the rates and duties granted by the aforesaid acts, or any of them, so far as the said powers, authorities, rules, and penalties are applicable hereunto, and not altered by this act.

XX. And be it enacted by the authority aforesaid, That all the monies that shall arise by the duty on tea granted by this act, and all the arrears of the several duties and subsidies hereby repealed, shall, together with the monies that shall arise by the additional duties on inhabited houses, granted by this act, (which additional duties on inhabited houses shall be paid, by the several persons who shall be appointed to receive the same, into the hands of the receiver general of the customs), be applied and paid, by him into the receipt of the exchequer, upon the several distinct heads of subsidy, or customs, as the duties or subsidies hereby repealed have been paid in there, pursuant to the several acts of parliament for appropriating the same; and in case the whole amount of the subsidy granted, together with the monies hereby directed to be paid to the said receiver general, shall at any time, in any one quarter, exceed the sum of eighty-seven thousand one hundred thirty-six pounds sixteen shillings and eight-pence farthing, being the one fourth part of three hundred forty-eight thousand five hundred forty-seven pounds six shillings and nine-pence, the average produce of the several duties and subsidies on teas for five years, with the addition of five pounds *per centum*, and five pounds *per centum*, laid upon the said duties and subsidies by the acts of the nineteenth and twenty-second years of his Majesty's reign, the said receiver general shall pay over such surplus into the hands of the receiver general of excise, which shall be by him distributed, in due proportion, to the respective heads of excise to which the duties of excise on teas, repealed by this act, were applicable,

2 Geo. 3. c. 8.;

18 Geo. 3. c.

26.; and 19

Geo. 3. c. 59.

Monies arising by this act to be paid into the exchequer by the receiver general of the customs:

And in case of any surplus, the same shall be paid to the receiver general of excise, &c.

Monies paid into the exchequer how to be applied.

applicable, and shall be by him paid into the receipt of the exchequer, at the rate of one hundred thirty-eight thousand nine hundred seventy-nine pounds, five shillings, and ten-pence half-penny *per* quarter, being the one fourth part of five hundred fifty-five thousand nine hundred and seventeen pounds, three shillings, and sixpence, the average of the excise duties on tea for five years, with the addition of five pounds *per centum*, five pounds *per centum*, and five pounds *per centum*, laid upon the said duties of excise by the acts of the nineteenth, twenty-first, and twenty-second years of his present Majesty's reign; and such money, so paid into the receipt of the exchequer, by the said receiver general of the customs, and receiver general of the excise, respectively, shall be applied to the same uses and purposes as the former duties on teas hereby repealed, were applicable unto; and in case any deficiency shall happen in the said duties, the said receivers general respectively shall return certificates thereof into the office of the auditor of the receipt of the exchequer aforesaid; and such deficiency shall from time to time be made good by or out of such money as shall be or remain in the receipt of the exchequer, of or for the surpluses, excesses, or overplus monies, or other revenues composing the fund commonly called *The Sinking Fund*, at any quarter day after the said certificates respectively shall have been returned into the office of the auditor of the said receipt; and whatever monies shall be so issued out of the said sinking fund, shall be replaced by or out of the first supplies to be then-after granted by parliament.

Receipt of the receiver general of the customs to be a discharge to receivers of new duties on houses, &c.

XXI. Provided always, and be it enacted, That the receipt of the receiver general of the customs shall be a sufficient discharge to the several persons who shall be appointed to receive the said additional duties on inhabited houses; and also the receipt of the receiver general of the excise shall be a sufficient discharge to the receiver general of the customs for such monies as he shall pay in pursuance of this act; and the said receipts shall severally be allowed by the auditor or auditors in passing their respective accounts.

If in any one quarter there should be a surplus of monies arising by this act, the same shall be applied towards making good the sums charged on the next quarter.

XXII. And be it enacted by the authority aforesaid, That if the subsidy on teas hereby granted, together with the duties on houses, windows, and lights, also granted by this act, shall, in any one quarter, produce more than sufficient to satisfy the said sum of eighty-seven thousand one hundred and thirty-six pounds, sixteen shillings, and eight-pence, farthing, to make good the like sum to be replaced to the several subsidies or custom duties on teas, by this act repealed, and also the sum of one hundred thirty-eight thousand nine hundred seventy-nine pounds, five shillings, and ten-pence halfpenny, to make good the like sum to be replaced to the respective duties of excise on teas, by this act also repealed, the surplus which remains, after satisfying the above sums, shall be applied towards making good the like sums charged upon the said subsidy and duty on houses, windows, and lights, in the next succeeding quarter.

XXIII. Pro-

XXIII. Provided nevertheless, and be it further enacted by the authority aforesaid, That separate assessments shall be made out for raising the duties hereby imposed, which assessments shall be brought in by the assessors, in writing under their hands, and be verified upon their oaths, and not otherwise, as required by the act of the twentieth year of his late Majesty's reign first above mentioned, upon pain of forfeiture of any sum, not exceeding twenty pounds, nor less than five pounds; and that the commissioners for putting this act in execution shall cause true duplicates of the said assessments to be made out, delivered, and transmitted, in such manner as is directed by any of the said former acts relating to the duties upon houses, windows, or lights, with respect to the duplicates of the assessments therein mentioned.

Separate assessments shall be made, and verified by the assessors upon oath.

XXIV. And it is hereby further enacted by the authority aforesaid, That, for the better execution of this act, and for the ordering, raising, levying, collecting, and paying the duties hereby granted, the commissioners authorised or appointed, or who shall be hereafter authorised or appointed, for putting in execution the said herein-before mentioned acts relating to the duties upon houses, windows, or lights, or inhabited houses, or any of them, shall be commissioners for putting in execution this present act and the powers therein contained, in all and every the respective counties, shires, stewartries, ridings, cities, boroughs, cinque ports, towns, and places respectively, within *Great Britain*; and that the said commissioners, in order to the speedy execution of this act, shall, in their respective counties, shires, stewartries, ridings, cities, boroughs, cinque ports, towns, and places, for which they are or shall be appointed commissioners respectively, meet on or before the eleventh day of *October*, one thousand seven hundred and eighty-four; and shall in like manner meet yearly and every year, at such day or time as the said commissioners for the time being shall think proper to appoint, before the thirtieth day of *April* yearly; and shall then divide themselves to act in separate districts, and proceed in the execution of this present act, for assessing, raising, levying, and collecting the duties hereby granted, in such and the same manner, and under the same regulations and directions, as are prescribed by the said before mentioned acts, or any of them, with respect to the rates and duties thereby imposed (except in such cases in which an alteration is made by this act.)

Commissioners of former acts relating to the duties on houses and windows, shall be commissioners for executing this act;

and shall meet on or before Oct. 11, 1784, &c.

XXV. Provided always, and be it further enacted by the authority aforesaid, That if, by any negligence or default, there shall not have been a meeting of the said commissioners, and a due execution of the several powers hereby created, within or at the time or times, or according to the manner or circumstances directed or prescribed in and by this act, it shall and may be lawful to and for the said commissioners, or any two or more of them, in all and every the respective counties, shires, stewartries, ridings, cities, boroughs, cinque ports, and towns, in

In case commissioners should not meet at the time prescribed, they may meet and execute this act at any other time.

Great

Great Britain respectively, wherein such default shall have happened, to meet and execute the said powers at any other time or times, any thing herein contained to the contrary thereof notwithstanding; and they are hereby authorised and required forthwith, or as soon as may be, after the time or times at which such meetings should have been held, and such powers should have been executed, according to the directions of this present act, to meet and execute the same, so as that the said rates and duties be duly and effectually charged, raised, levied, collected, and paid, to his Majesty, his heirs and successors, for the purposes in this act, notwithstanding any such omission or defect; and all such meetings and acts of the said commissioners, or any two or more of them, shall be deemed, and are hereby declared, to be good and valid, to all intents and purposes, notwithstanding any such omission or defect.

Notice to be given that the assessors under the former acts are assessors under this act.

XXVI. And it is hereby also enacted, That the said commissioners shall cause notice to be inserted, in the precepts to be from time to time directed by them to the Inhabitants of the parishes or places within their respective districts or divisions, whom they shall think fit to be presentors or assessors under the said before mentioned acts, or any of them, that such persons are also appointed assessors of the duties on all inhabited houses, and upon windows or lights, granted by this act.

In case no assessors shall be appointed, surveyors may do their duty.

XXVII. And, for the more effectually levying and collecting the duty imposed by this act, be it enacted and declared, That in case at any time the commissioners for putting in execution this present act in that part of *Great Britain* called *England* and *Wales*, or in case at any time the commissioners of supply in that part of *Great Britain* called *Scotland*, shall neglect to appoint assessors, or in case the assessors by them appointed shall neglect to perform what is required of them by this act, that then, and in any such case, it shall and may be lawful to and for the surveyor or surveyors, appointed or to be appointed under the authority of any of the before mentioned acts, to do and perform such and the like services as are by the said acts required from such assessors.

Surveyors, twice a year, to make a surcharge of houses omitted or under-charged.

XXVIII. And be it further enacted by the authority aforesaid, That from and after the said sixteenth day of *November*, one thousand seven hundred and eighty-four, the said surveyor or surveyors shall, twice in every year, to wit, on or before the tenth day of *January*, and the tenth day of *August*, yearly, certify in writing, under his or their hand or hands, by way of surcharge, to any three or more of the said commissioners, what inhabited houses have been omitted to be charged, or have been under-charged, with the rates and duties imposed by this act, in the assessment made of the same for the then current year; and that thereupon, and upon oath being first made that notice was left in writing at the dwelling houses of the several occupiers so charged or surcharged by virtue of such certificate, that the surveyors intended to charge them in such manner, and according to such number of windows, as they shall be charged for

Notice to be given to the occupiers surcharged, and the assessments to be rectified.

for

for by virtue of fuch certificate, the faid commissioners, or any three or more of them, fhall caufe fuch affeffment to be rectified according to fuch certificate, and delivered to the collectors, and the faid rates and duties fhall be levied accordingly.

XXIX. And be it further enacted and declared, That if any furveyor orurveyors fhall, after the faid fifth day of *April*, one thousand feven hundred and eighty-five, omit to make a furcharge or furcharges for the firft half year, it fhall and may be lawful for the faid furveyor orurveyors to make a furcharge or furcharges for the whole year.

If a furcharge fhall be omitted the firft half year, it may be made for the whole year.

XXX. And be it further enacted and declared, That where any houfe fhall be divided into different ftories, tenements, or lodgings, and fhall be inhabited by two or more perfons or families, the fame fhall nevertheless be fubject to, and fhall, in like manner, pay the duties granted by this act, as if fuch houfe or tenement was inhabited by one perfon or family only; and the landlord or owner of fuch houfe fhall be deemed and taken to be the occupier of fuch dwelling houfe, and fhall be charged with, and liable to pay the duties impofed by this act.

Where houfes are let in different tenements, the landlord fhall be deemed the occupier.

XXXI. And be it likewise enacted and declared by the authority aforefaid, That all dwelling rooms in every hall and office whatfoever, belonging to any perfon or perfons, or to any bodies politick or corporate, that are or may be lawfully charged with the payment of any other taxes or parifh rates, fhall be fubject to the duties granted by this act, and fhall be refpectively charged as inhabited houfes, within the true intent and meaning of this act; and the perfon or perfons, bodies politick or corporate, to whom the fame fhall belong, fhall be charged and affeffed as the occupier or occupiers thereof: provided always, That each diftinct chamber or apartment, in any college or hall in any of the univerfities of *Great Britain*, fhall be fubject to the duties granted by this act, as if the fame was an entire houfe.

Dwelling rooms in offices &c chargeable to other taxes or parifh rates, to be fubject to the duties granted by this act.

XXXII. And be it likewise enacted and declared by the authority aforefaid, That every chamber or apartment in any of the inns of court of chancery, being feverally in the tenure and occupation of any perfon or perfons, fhall be fubject to the duties granted by this act, as if the fame was an entire houfe.

Apartments in the inns of court, &c liable to the duties.

XXXIII. Provided nevertheless, That this act, or any thing herein contained, fhall not extend, or be conftrued to extend, to charge with the duties hereby granted as aforefaid, any houfe or tenement in the poffeffion or occupation of his Majefty, or any of the royal family, nor to fubject or charge any ambaffador or foreign Minifter, refiding in the kingdom of *Great Britain*, to or with the payment of the faid duties granted by this act.

Not to extend to any houfe occupied by the royal family, &c.

XXXIV. And be it further enacted and declared, That the rules and regulations provided by the acts of the eighteenth and nineteenth years of the reign of his prefent Majefty before mentioned, exempting

Regulations in the acts of 18 and 19 Geo. 3, for exempting

warehouses,
&c. extended
to this act.

tioned, for exempting all warehouses and buildings requisite for carrying on manufactures, trades, occupations, and callings, from the duties on inhabited houses, imposed by these acts, shall be extended to exempt all such warehouses and buildings, in like manner, from the rates and duties imposed by this act.

Hospitals, &c.
exempted;

XXXV. Provided always, and be it further enacted by the authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to charge or make liable any hospital, charity school, or house provided for the reception and relief of poor persons, to the payment of the rate or duty imposed by this act, except such apartments therein as are or may be occupied by the officers or servants thereof; which shall be subject to the same duty (according to the number of windows in each) as other inhabited houses are by this act subject to.

except apart-
ments of offi-
cers, &c.

Parents and
guardians
liable to pay
for infants.

XXXVI. And it is further enacted by the authority aforesaid, That where any person or persons chargeable with the duties hereby granted as aforesaid, shall be under the age of twenty-one years, in every such case the parents, guardians, and tutors of such infants respectively, upon default of payment by such infants, shall be, and are hereby made liable to and charged with the payments which the said infants ought to have made; and if such parents, guardians, or tutors, shall neglect or refuse to pay as aforesaid, it shall and may be lawful to proceed against them in like manner as against any other person or persons making default of payment of the duties hereby granted; and all parents, guardians, and tutors, making payment as aforesaid, shall be allowed all and every sum and sums paid for such infants in his, her, or their accounts.

No person to
gain a settle-
ment by pay-
ment of the
rates.

XXXVII. And be it further enacted by the authority aforesaid, That the payment of any of the rates and duties granted by this act, by any occupier or occupiers of any dwelling house or houses, in any parish or place, shall not entitle the person or persons so paying such rates or duties to a legal settlement in such parish or place.

What houses
shall be deem-
ed inhabited.

XXXVIII. And be it further enacted and declared, That no house shall, within the intention of this act, be deemed or taken to be an inhabited house, except the same shall be inhabited by the owner, or his servant or servants, or by a tenant or tenants renting the same.

Commission-
ers, in Eng-
land, &c. not
to act until
they have
taken the
oaths appoint-
ed by act 1
Geo. 1. c. 13.

XXXIX. Provided always, and be it enacted, That no person shall be capable, in *England, Wales, or Berwick upon Tweed*, of acting as a commissioner in the execution of this act, or executing any of the powers herein contained (unless it be the power hereby given of administering oaths,) until such time as he shall have taken the oaths appointed by the act of parliament made in the first year of the reign of his late majesty King George the First, intituled, *An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants; and for extinguishing the hopes of the pretended prince of Wales, and his open*

and secret abettors; which oaths, and any others prescribed to be taken by this act, it shall and may be lawful for any two or more of the commissioners to administer, and they are hereby respectively authorized and required to administer the same, to any other of the said commissioners accordingly.

XL. Provided always, and be it enacted, That if any person hereby appointed a commissioner for any county, city, town, or place, in *England, Wales, or Berwick upon Tweed*, shall presume to act as a commissioner in the execution of this act, before he shall have taken the oaths which by this act he is required to take, and in manner hereby prescribed, he shall forfeit to his Majesty the sum of two hundred pounds. on penalty of 200l.

XLI. Provided always, That every person appointed by this act to be a commissioner for executing the several powers herein contained, in that part of *Great Britain* called *Scotland*, shall, before his acting as a commissioner in the execution of this act, or any of the powers herein contained, take and subscribe the oaths of allegiance and abjuration, and subscribe the assurance appointed by law to be taken and subscribed by persons in offices of publick trust in *Scotland*, upon pain of forfeiting the sum of twenty pounds sterling; which oaths it shall and may be lawful for any two or more of the said commissioners to administer, and they are hereby required to administer the same accordingly. Commissioners in Scotland to take the oaths of allegiance and abjuration, &c. on penalty of 20l.

XLII. Provided likewise, and be it further enacted by the authority aforesaid, That every person to be appointed an assessor as aforesaid shall, before he presumes to act in the execution of the said office or employment, take the following oath:

I A. B. do swear, [or affirm, as the case may require] that, The oath.
in the assessment which I shall make of the houses and household offices within the district or parish for which I am appointed an assessor, I will rate each according to the whole number of windows therein, to the best of my knowledge and judgement; and that I will truly and faithfully execute the trusts reposed in me by virtue of an act of the twenty-fourth year of his present Majesty, for repealing the several duties on tea, and for granting to his Majesty other duties in lieu thereof; and also several duties on inhabited houses; and upon the importation of cocoa nuts and coffee; and for repealing the inland duties of excise thereon.

Which oath any two or more of the commissioners in the county, shire, city, or place, where the assessment is to be made, are hereby impowered and required to administer.

XLIII. Provided always, and be it further enacted by the authority aforesaid, That no person shall be capable of acting as a commissioner in the execution of this present act, or any of the powers herein contained, within the city of *London*, and liberty of *Saint Martin le Grand*, nor within the city and liberty of *Westminster*, unless such person be possessed of lands, tenements, or personal estate, to the amount or value of two thousand pounds. Commissioners for the city of London, &c. to be sworn as to their qualification.

land pounds at least, after the payment of all his debts, any thing herein contained to the contrary notwithstanding; which qualification they shall swear to, previous to their acting as aforesaid, or (being one of the people called *Quakers*) make and subscribe his solemn affirmation, in the following form :

The oath.

I A. B. *do swear, [or affirm, as the case may require,] that, truly and bona fide, I have such an estate, consisting of [specifying the same,] of the clear value of two thousand pounds, over and above what will satisfy and discharge all my debts.*

So help me G O D.

Penalty on commissioners acting before they have taken the oath.

And if any person shall presume to act as a commissioner in the execution of this present act, or any of the powers herein contained, within the city of *London*, and liberty of *Saint Martin le Grand*, or within the city and liberty of *Westminster*, before he shall have taken such oath, or made such affirmation as herein-before is directed, he shall forfeit, for every such offence, the sum of two hundred pounds; one moiety thereof shall be paid to his Majesty, his heirs and successors, and the other moiety to any person or persons who will inform and sue for the same.

Persons over-rated may appeal to the commissioners.

XLIV. And be it further enacted by the authority aforesaid, That if any person or persons shall think himself, herself, or themselves respectively overcharged or overrated by any assessment, charge, or surcharge, to be made by virtue of or in pursuance of this act, it shall be lawful for him or them respectively to appeal to the said commissioners, or any three or more of them, and the said commissioners, or any three or more of them, shall, and they are hereby required to hear and determine all such appeals; and that all such appeals shall be heard and determined on the days appointed, and in the manner directed in the several acts herein-before mentioned, with respect to the rates and duties thereby granted.

Commissioners, on hearing of appeals, not to make any abatement, &c. unless proof be made on oath, that the appellant is over-rated.

XLV. And be it further enacted by the authority aforesaid, That the said commissioners, or any of them, shall not, upon the hearing of any appeal, make any abatement or defalcation in the charge or surcharge made upon any person by such assessment as aforesaid, or the surcharge of any such surveyor or surveyors as aforesaid, but the same shall stand good, and remain part of the annual assessments, unless it shall then appear to the said commissioners, by examination of the circumstances of the case upon oath, that such person hath been overrated in and by such assessment or surcharge; in which cases the said commissioners are hereby authorized and empowered, upon every such appeal, to abate or diminish any such assessment to be made as aforesaid, in such manner as they shall think proper, and agreeable to the true intent and meaning of this act: and every person intending to appeal to the said commissioners shall, and is hereby required to give, at the least, ten days no-

...tice

time thereof to any affeffor or affeffors, furveyor or furveyors of the parifh or place wherein fuch perfon is affeffed, of fuch intention to appeal; and fuch affeffor or affeffors, furveyor or furveyors, may then and there attend and juftify the faid affeffment and furcharge; and fuch affeffor and affeffors, furveyor and furveyors, and appellatant, fhall have full and free liberty to be prefent during all the time of hearing fuch appeals, and of the faid commiffioners determining the fame.

Persons intending to appeal, are to give 10 days notice to the affeffors, &c.

XI.VI. And be it further enacted by the authority aforefaid, That all appeals, once heard and determined by the faid commiffioners, or any three or more of them, or the major part of them then prefent, on the day or days by them appointed for hearing of appeals, fhall be final, except as herein-after directed.

Determination of the commiffioners to be final: Except, &c.

XLVII. And be it further enacted by the authority aforefaid, That if any fuch affeffor or affeffors, furveyor or furveyors, or the perfon fo appealing, in that part of *Great Britain* called *England*, or in *Wales*, or in *Berwick upon Tweed*, fhall apprehend the determination made by the faid commiffioners to be contrary to the true intent and meaning of this act, and fhall then declare himfelf or herfelf diffatisfied with fuch determination, it fhall and may be lawful to and for fuch affeffor or affeffors, furveyor or furveyors, or appellatant refpectively, to require the faid commiffioners to ftate fpecially, and to fign the cafe upon which the queftion arofe, together with the determination thereupon; which cafe the faid commiffioners, or the major part of them then prefent, are hereby required to ftate and fign accordingly, and to caufe the fame to be delivered to the party making fuch request as aforefaid, to be by him or her transmitted to one of the juftices of the court of king's bench or common pleas, or to one of the barons of the court of exchequer, for the time being; and every fuch juftice and baron is hereby required, with all convenient fpeed, to return an answer to fuch cafe fo transmitted, with his opinion thereupon fubfcribed thereto; according to which opinion, fo certified, the affeffment which fhall have been the caufe of fuch appeal fhall be altered or confirmed; and that if fuch affeffor or affeffors, furveyor or furveyors, or the perfon fo appealing, in that part of *Great Britain* called *Scotland*, fhall apprehend the determination made by the faid commiffioners to be contrary to the true intent and meaning of this act, and fhall then declare himfelf or herfelf diffatisfied with fuch determination, it fhall and may be lawful to and for fuch furveyor, or perfon diffatisfied refpectively, to require the faid commiffioners, or the major part of them then prefent, to ftate fpecially, and fign the cafe upon which the queftion arofe, together with their determination thereupon; which cafe the faid commiffioners are hereby required to ftate and fign accordingly, and to caufe the fame to be delivered to the party making fuch request as aforefaid, to be by him or her transmitted to one of the judges of the court of feffion, or one of the barons of the exchequer there.

Persons diffatisfied with the determination of the commiffioners may, in England or Wales, appeal to one of the juftices of the court of King's Bench, &c.

and in Scotland to one of the judges of the court of feffion, or barons of exchequer there.

exchequer, in *Scotland*; and every fuch judge and baron is hereby required, with all convenient fpeed, to return an answer to fuch cafe fo transmitted, with his opinion thereupon fubfcribed thereto; according to which opinion, fo certified, the affeffment which fhall have been the caufe of fuch appeal fhall be altered or confirmed: provided always, That notwithstanding any fuch cafe fo transmitted to any of the faid juftices, judges, or barons, the determination of the faid commissioners fhall ftand, with refpect to the payments which fhall become due precedent to the opinion certified by any fuch juftice, judge, or baron, upon fuch cafe.

Penalties and forfeitures how to be recovered.

XLVIII. Provided always, and be it enacted, That all penalties and forfeitures to be incurred for any offences againft this act, for which there is no particular way of levying herein prefcribed or appointed, fhall be recovered in any of his Majesty's courts of record at *Westminster*, with cofts of fuit, by action of debt or on the cafe, bill, fuit, or information, wherein no effoin, proteftion, wager at law, or more than one imparlance, fhall be allowed.

Constables, &c. to be aiding and affifting in executing this act.

XLIX. Provided always, and be it enacted, That all conftables and headboroughs, tything men, and other his Majesty's officers, fhall, and are hereby required and enjoined, to be refpectively aiding and affifting in the execution of this act, and to obey and execute fuch precepts and warrants as fhall be to them directed in that behalf by the refpective commissioners hereby appointed, or any three or more of them.

From Sept. 15, 1784, the following additional duties to be paid to his Majesty; videlicet,

L. And it is hereby further enacted by the authority aforefaid, That there fhall be raifed, levied, collected, and paid, to and for the ufe of his Majesty, his heirs and fucceffors, for and upon the feveral goods herein-after mentioned, which fhall, from and after the faid fifteenth day of *September*, one thoufand feven hundred and eighty-four, be imported or brought into this kingdom from foreign parts, or be delivered out of the warehoufes in which the fame fhall, on the faid fifteenth day of *September*, be lodged under the care and cuftody of the proper officers for fecuring the duties heretofore payable thereon, over and above all customs, fubfidies, and duties, already impofed thereon, the feveral and refpective duties following; (that is to fay;)

For every pound of cocoa nuts, the produce of *British America*, &c. 6d.

But if the produce of any other place, 1s. 6d.

For every pound of coffee, the produce of *British America*, &c. 6d.

But if the produce of any other place, 1s. 6d.

For every pound weight avoirdupois of cocoa nuts, the growth or produce of any *British* colony or plantation in *America*, and imported directly from thence, the fum of fixpence:

And for every like pound weight of cocoa-nuts of any other place, the fum of one fhilling and fixpence:

For every like pound weight of coffee, of the growth or produce of any *British* colony or plantation in *America*, and imported directly from thence, the fum of fixpence:

And for every like pound weight of coffee, of any other place, the fum of two fhillings and fixpence:

And

And in those proportions for any greater or less quantity : and the said duties shall also be subject and liable to an additional impost or duty of five pounds *per centum*, and five pounds *per dutum* thereon, which were imposed by two several acts of parliament, made in the nineteenth and twenty-second years of his Majesty's reign, for granting to his Majesty additional duties upon the produce of the several duties under the management of the respective commissioners of the customs and excise in *Great Britain*.

New duties to be subject to an additional impost of 5 per cent. and 5 per cent. thereon imposed by 19 Geo. 3. c. 25, and 22 Geo. 3. c. 66.

LI. And it is further enacted by the authority aforesaid, That the duties herein-before granted upon the importation of cocoa nuts and coffee shall be under the management and direction of the commissioners of his Majesty's customs in *England* and *Scotland* respectively, and shall be paid down in ready money, without any discount or deduction whatsoever ; and the said duties shall be raised, levied, collected, recovered, and paid, and shall be drawn back upon the exportation of the same goods, in the same manner and form, and under such restrictions, penalties, and forfeitures, and by such rules, ways, and methods, as the former duties and drawbacks for such goods are respectively raised, levied, collected, recovered, paid, and allowed (except where any alteration is made by this act,) as fully, to all intents and purposes, as if the several clauses, powers, directions, penalties, and forfeitures, in any act or acts of parliament relating thereto, were particularly repeated and again enacted in the body of this present act.

Import duties to be under the management of the commissioners of the customs, and to be paid in ready money, &c.

LII. And it is further enacted by the authority aforesaid, That, from and after the said fifteenth day of *September*, one thousand seven hundred and eighty-four, the several duties and other impositions of excise, commonly called *The Inland Duties*, upon all cocoa nuts or coffee imported, sold, or used in this kingdom, shall cease, determine, and be no longer paid or payable.

From Sept. 15, 1784, the inland duties upon cocoa nuts and coffee to cease.

LIII. Provided always, That in order to ease the merchants and importers of coffee and cocoa nuts from the difficulty of paying down the full duties imposed thereon by this act, it is hereby further enacted by the authority aforesaid, That the said duties shall not be paid for any coffee or cocoa nuts which shall be imported into this kingdom, from and after the said fifteenth day of *September*, one thousand seven hundred and eighty-four, provided that such coffee or cocoa nuts shall, upon landing, be immediately lodged and secured under his Majesty's locks, in such warehouse or warehouses (to be provided at the expence of the importer or proprietor of such goods) as the collector and comptroller, or other principal officer of the customs at the port of importation, shall approve of for that purpose, and shall not be taken out or delivered from such warehouse or warehouses, but upon the following conditions ; (that is to say,) if such coffee or cocoa nuts, or any part thereof, shall be delivered for exportation to foreign parts, the same shall be subject and liable to the like security, regulations, and restrictions, as

Clause for relief of importers of coffee and cocoa nuts.

If fuch coffee
or cocoa nuts
fhall not be
exported, or
the duties
paid, within 12
months, the
commissioners
of the customs
may fell the
fame, &c.

East India goods prohibited to be worn or used in *Great Britain* are now liable to by law; but if fuch coffee or cocoa nuts, any part thereof, fhall be taken out in order to be ufed in this kingdom, the perfon or perfons fo taking out the fame fhall firft pay down the faid additional duties, and they fhall in all other refpects be liable to the fame reftrictions and regulations as they would have been fubject and liable to if fuch coffee and cocoa nuts had not been warehoused in purfuance of this act: provided always, That if fuch coffee or cocoa nuts fhall not be either exported, or the duties paid for the fame, within twelve calendar months from the importation thereof, but fhall then continue and be remaining in the faid warehouse or warehouses, in fuch cafe it fhall and may be lawful for the commiffioners of his Majesty's customs for *England* and *Scotland* refpectively, or any three or more of them for the time being, to caufe fuch coffee or cocoa nuts, fo remaining, to be publickly fold by auction, or inch of candle, to the beft bidder; and the money arifing by fuch fale to be applied firft in difcharge of the duties, and the expences of fuch fale, and the overplus, (if any) to be paid to the importer or proprietor of fuch coffee or cocoa nuts, or other perfons legally authorifed to receive the fame; any thing herein-before contained to the contrary notwithstanding.

Defendants
may plead the
general iflue,

LIV. And be it further enacted by the authority aforefaid, That if any perfon or perfons fhall at any time or times be fued, molefted, or profecuted, for any thing by him or them done or executed in purfuance of this act, or of any claufe, matter, or thing herein contained, fuch perfon or perfons fhall and may plead the general iflue, and give the fpecial matter in evidence for his or their defence; and if upon the trial a verdict fhall pafs for the defendant or defendants, or the plaintiff or plaintiffs fhall difcontinue any action, or fuffer a nonpros, or fhall become nonfuit, then fuch defendant or defendants fhall have treble cofts awarded to him or them againft fuch plaintiff or plaintiffs.

and have
treble cofts.

C A P. XXXIX.

An act for granting annuities to fatisfy certain navy, victualling, and tranfport bills, and ordnance debentures.

Moft gracious Sovereign,

Preamble.

WE, your Majesty's moft dutiful and loyal fubjects, the commons of *Great Britain*, in parliament affembled, have taken into our feries confideration the prefent ftate of the debt of your Majesty's navy, and office of ordnance; and being defirous to make fome provision towards fatisfaction thereof, have refolved, That all perfons interefted in, or intitled unto, any bill or bills payable in the courfe of the navy or victualling offices, or for tranfports, which were made out on or before the thirtieth day of *June*, one thoufand feven hundred and eighty-

Eighty-two, who already have carried, or should, on or before the tenth day of *October*, one thousand seven hundred and eighty-four, carry the same, after having had the interest thereupon computed and marked upon the said bills at the navy or victualling office respectively, to the office of the treasurer of his Majesty's navy, should have in exchange for the same, from such treasurer, or his paymaster or cashier, a certificate to the governor and company of the bank of *England*, for every entire sum of one or more hundred pounds, of which such bill or bills, together with the interest so marked, should consist; and also one other certificate for the fractional part of one hundred pounds, being the remainder of such bill or bills; and the persons who should be possessed of such first-mentioned certificates, of the entire sum of one or more hundred pounds, should, upon delivery thereof to the said governor and company, be intitled, in respect of the same, to the sum of one hundred and seven pounds, ten shillings, and sixpence capital stock, for each one hundred pounds of such bills made out on or before the said thirtieth day of *June*, one thousand seven hundred and eighty-two; and have also resolved, That all persons interested in, or intitled unto, any debentures payable out of the office of ordnance, which were dated on or before the thirtieth day of *June*, one thousand seven hundred and eighty-two, who already have carried, or should, on or before the tenth day of *October*, one thousand seven hundred and eighty-four, carry the same to the treasurer of his Majesty's office of ordnance, and should have the interest on such debentures computed after the rate of four pounds *per centum per annum*, from the expiration of fifteen months from the date thereof, to the fifth day of *July*, one thousand seven hundred and eighty-four, and should have a certificate for every one hundred pounds contained in the amount of the principal and interest of such debentures, and also a certificate for the fractional part of one hundred pounds, the first of the said certificates to be carried to the governor and company of the bank of *England*, should be intitled, in respect of the same, to the sum of one hundred and seven pounds, ten shillings, and sixpence capital stock, for each one hundred pounds of such debentures made out on or before the said thirtieth day of *June*, one thousand seven hundred and eighty-two, the said capital stock to be attended with annuities after the rate of five pounds *per centum per annum*: We, your Majesty's most faithful commons, do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all persons interested in or intitled unto any bill or bills, payable in the course of the navy or victualling offices, or for transports, which were made out on or before the thirtieth day of *June*, one thousand seven hundred and eighty-two, who shall, on or before the tenth day of *October*, one thousand seven hun-

All persons
interested in
any navy or
victualling
bills,

dred and eighty-four, carry the same, after having had the interest thereupon computed up to the fifth day of *July*, one thousand seven hundred and eighty-four, and marked upon the said bills at the navy or victualling offices respectively, to the office of the treasurer of his Majesty's navy, shall have, in exchange for the same, from such treasurer, or his paymaster or cashier, a certificate to the governor and company of the bank of *England*, for every entire sum of one or more hundred pounds of which such bill or bills, together with the interest so marked thereupon, shall consist, and also one other certificate for the fractional part of one hundred pounds, being the remainder of the amount of the principal and interest of such bill or bills; and the persons who shall be possessed of such first-mentioned certificates of the entire sum of one or more hundred pounds, shall, upon delivery thereof to the said governor and company, be intitled, in respect of the same, to the sum of one hundred and seven pounds, ten shillings, and sixpence capital stock, for each one hundred pounds of such bills made out on or before the said thirtieth day of *June*, one thousand seven hundred and eighty-two; and also that all persons interested in or intitled unto any debentures, payable out of the office of ordnance, which were dated on or before the thirtieth day of *June*, one thousand seven hundred and eighty-two, who shall, on or before the tenth day of *October*, one thousand seven hundred and eighty-four, carry the same to the treasurer of his Majesty's office of ordnance, and shall have the interest on such debentures computed after the rate of four pounds *per centum per annum*, from the expiration of fifteen months from the date thereof, to the fifth day of *July*, one thousand seven hundred and eighty-four, and shall have a certificate for every one hundred pounds contained in the amount of principal and interest of such debentures, and also a certificate for the fractional part of one hundred pounds, the first of the said certificates to be carried to the governor and company of the bank of *England*, shall be intitled, in respect of the same, to the sum of one hundred and seven pounds, ten shillings and sixpence capital stock, for each one hundred pounds of such debentures made out on or before the said thirtieth day of *June*, one thousand seven hundred and eighty-two; which said capital stock shall be attended with annuities after the rate of five pounds *per centum per annum*, to commence from the fifth day of *July*, one thousand seven hundred and eighty-four, and shall be paid and payable at the bank of *England*, at the times and in the manner herein-after mentioned.

or ordinance
debentures,
made out or
dated on or
before June
30, 1782
who shall, on
or before Oct.
10, 1784,
carry the same
to the respective
treasurers,
and have the
interest computed
thereon, shall have
a certificate
for every
100 l. to the
governor of
the bank, and
be intitled to
107 l. 10 s. 6 d
stock for the
same, at 5 per
cent.

Persons possessed of navy
or victualling
bills, &c. dated
on or before
June, 30, 1782,
to deliver
them to the

II. And be it further enacted by the authority, aforesaid, That it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, who shall be possessed of, interested in, or intitled unto any bill or bills, payable in course out of his Majesty's offices of the navy or victualling, or for transports, or any debenture or debentures, payable out of his Majesty's office of ordnance, which

were

were reſpectively made out or dated in the ſaid reſpective offices, on or before the thirtieth day of *June*, one thouſand ſeven hundred and eighty-two, to deliver ſuch bill or bills, debenture or debentures, to the reſpective treaſurers of the ſaid offices, to be marked, cancelled, and certified in ſuch manner as is herein-after mentioned, at any time on or before the tenth day of *October*, one thouſand ſeven hundred and eighty-four, and at ſuch place or places as ſhall have been appointed by notice given in the *London Gazette*, and other publick papers for that purpoſe.

reſpective treaſurers, to be cancelled, &c. before Oct. 10, 1784.

III. Provided always, and be it further enacted by the authority aforeſaid, That the intereſt which became due on the ſaid fifth day of *July*, one thouſand ſeven hundred and eighty-four, for and in reſpect of ſuch of the ſaid navy, victualling, and tranſport bills as bear an intereſt, ſhall be computed and marked upon the ſaid bills at the navy or victualling office reſpectively, before the ſame are delivered to the treaſurer of his Maſteſty's navy; and the proper officer and officers of his Maſteſty's navy office and victualling office reſpectively, is and are hereby authorized and required to compute and mark the intereſt as aforeſaid, upon every ſuch bill which ſhall be tendered to him or them for that purpoſe.

Interereſt which became due on July 5, 1784, for navy bills, &c. ſhall be marked thereon, before they are delivered to the treaſurer.

IV. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the treaſurer of his Maſteſty's navy for the time being, to take in and receive from all and every perſon or perſons, natives or foreigners, bodies politick or corporate, who is, are, or ſhall be poſſeſſed of, intereſted in, or intitled unto, any ſuch navy, victualling, or tranſport bills, all the ſaid bills which any ſuch perſon or perſons, bodies politick or corporate, ſhall, on or before the ſaid tenth day of *October*, one thouſand ſeven hundred and eighty-four, deliver to ſuch treaſurer; and the ſaid treaſurer, or his paymaſter and caſhier, is and are hereby authorized and required to mark and cancel every ſuch bill, and make forth and ſign the certificates herein directed to be made out in lieu of the ſaid bills; and that it alſo ſhall and may be lawful to and for the treaſurer of his Maſteſty's office of ordnance, in like manner, to take in all ſuch debentures, payable out of the ſaid office of ordnance, which, on or before the ſaid tenth day of *October*, one thouſand ſeven hundred and eighty-four, ſhall be delivered to him; and the ſaid laſt mentioned treaſurer, or his deputy, is hereby authorized and required to cancel the ſame, and to make forth and ſign the certificates herein directed to be made out in lieu of ſuch debentures.

Treaſurer of the navy to receive all ſuch bills until Oct. 10, 1784.

Bills to be cancelled, and certificates to be made out in lieu thereof, &c.

V. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons, bodies politick and corporate, who ſhall deliver any ſuch bill or bills, debenture or debentures, to the ſaid reſpective treaſurers as aforeſaid, upon producing ſuch certificates as are hereby directed to be made forth by the ſaid treaſurers, in lieu of ſuch bills and debentures, ſhall, in reſpect of the principal ſum hereby granted for every entire

Every certificate for 100l. to have an annuity of 5 per cent.;

to be paid at
the bank half-
yearly.

entire sum of one hundred pounds contained in such respective certificates, have and be intituled to an annuity after the rate of five pounds *per centum per annum*, to commence from the said fifth day of *July*, one thousand seven hundred and eighty-four, and to be paid or payable to such person or persons, bodies politick or corporate, or such as he, she, or they shall appoint, his, her, or their executors, administrators, successors, or assigns respectively; which said annuity shall be payable half-yearly at the bank of *England*, at two of the most usual days of payment in the year; that is to say, the fifth day of *January*, and the fifth day of *July*, the first payment thereof to become due on the fifth day of *January*, one thousand seven hundred and eighty-five; and that all persons and corporations, intituled to any such annuity or annuities aforesaid, and his, her, and their administrators, successors, and assigns respectively, and all persons and corporations lawfully claiming under him, her, or them, shall have good, sure, absolute, and indefeazable estates and interests in the said annuities, according to the tenor and true meaning of this act, and shall be possessed thereof as of a personal estate, which shall not be descendible to heirs, nor liable to any foreign attachment by the custom of *London*, or otherwise, any law, custom, or usage, to the contrary notwithstanding; and that all the said annuities shall be free from all taxes, charges, and impositions whatsoever.

Annuities to
be tax free.

Annuities
charged on a
fund to be
established
this session,
and collateral-
ly on the sink-
ing fund.

VI. And be it further enacted by the authority aforesaid, That the said annuities, after the rate of five pounds *per centum per annum*, shall be charged and chargeable upon, and payable out of, the monies which shall from time to time arise and be in the receipt of the exchequer, of the fund to be established in this session of parliament, and for which the fund, commonly called *The Sinking Fund*, shall be a collateral security; and that the said annuities shall be irredeemable until twenty-five millions of the publick debt, bearing interest after the rate of either three pounds *per centum per annum*, or four pounds *per centum per annum*, shall have been redeemed and paid off.

Treasurer of
the navy, &c.
to give certi-
ficates for
bills,

VII. And be it further enacted by the authority aforesaid, That, upon the delivering in of every such navy, victualling, or transport bill, by any person or persons, bodies politick or corporate, the treasurer of his Majesty's navy, or his paymaster and cashier, shall, and they are hereby authorised and required forthwith to give a certificate signed by him or them for the principal sum or sums contained in every such bill, and also for the interest which shall have been computed and marked as aforesaid to be due on the said fifth day of *July*, one thousand seven hundred and eighty-four, upon such of the said bills as bear an interest, to such person or persons, bodies politick or corporate, or his, her, or their assigns; and that upon the delivering in by any person or persons, bodies politick or corporate, of every such debenture or debentures, the treasurer of his Majesty's office of ordnance, or his depury, shall, and they are hereby authorised and required forthwith to give a certificate,

and the trea-
surer of the
ordnance for
debentures.

signed

ſigned by the ſaid treaſurer, or deputy, for the principal ſum or ſums contained in every ſuch debenture, and alſo for the intereſt on ſuch debentures, computed after the rate of four pounds *per centum per annum*, from the expiration of fifteen months from the date thereof, to the fifth day of *July*, one thouſand ſeven hundred and eighty-four, to ſuch perſon or perſons, bodies politick or corporate, or his, her, or their assigns; and all ſuch certificates ſhall be assignable by indorſement thereupon; made at any time before the twenty-fiſt day of *December*, one thouſand ſeven hundred and eighty-four, and no longer; and all ſuch certificates and assignments thereupon ſhall not be charged with any ſtamp-duties whatſoever; and that the intereſt, ſo computed and marked on every ſuch bill and debenture reſpectively bearing intereſt as aforeſaid, ſhall be added to the principal ſum contained in every ſuch bill and debenture reſpectively, and the amount of ſuch principal and intereſt, or the amount of the ſum contained in every ſuch bill and debenture not bearing intereſt, certified in manner before directed, except as herein-after is mentioned, ſhall be the principal ſums for which the perſon or perſons, bodies politick or corporate, delivering ſuch bills or debentures, ſhall be intitled to an annuity after the ſaid rate of five pounds *per centum per annum*.

Certificates
assignable un-
til Dec. 21,
1784, &c.

VIII. And be it further enacted by the authority aforeſaid, That all certificate of fractional parts of one or more hundred pounds, ſhall be paid by the treaſurer of his Maſteſty's navy, according to the courſe of the navy, in ſuch order as the bills in part of which ſuch certificates ſhall have been granted were payable; and that all certificates of fractional parts of one or more hundred pounds of ſuch debentures ſhall be paid by the treaſurer of his Maſteſty's office of ordnance; and ſuch of the ſaid certificates ſo to be granted in part of bills bearing intereſt, ſhall, from the ſaid fifth day of *July*, one thouſand ſeven hundred and eighty-four, carry intereſt after ſuch rate as would have been payable in reſpect of the ſums mentioned in the ſaid bills; any thing herein contained to the contrary notwithstanding: and that all the ſaid certificates which ſhall not have been delivered to the treaſurer of his Maſteſty's navy, ſhall and may be assignable, by indorſement thereupon made, until the ſame ſhall be paid in the courſe of the navy as aforeſaid; and that none of the ſaid assignments ſhall be charged with any ſtamp-duties whatſoever.

Certificates of
fractional
parts of 100 l.
how to be paid.

IX. And be it further enacted by the authority aforeſaid, That if any infants ſhall, by the gift, deviſe, or deceaſe, of the parent, or other relation of ſuch infants, or otherwiſe, become intitled to any of the ſaid bills or debentures, in ſuch caſe, the guardian or guardians, trustee or trustees, of ſuch infant or infants; ſhall or may be, and he, ſhe, or they, is or are hereby impowered, for the benefit of ſuch infant or infants, to deliver up to ſuch reſpective treaſurers all ſuch of the ſaid bills or debentures to which ſuch infant or infants ſhall be ſo intitled; and ſuch infant and infants, guardian or guardians, trustee or trustees,

Certificates
not delivered
to the treaſur-
er of the na-
vy, may be af-
ſigned, &c.

Guardians of
infants may
deliver up
bills or de-
bentures, &c.

trustees, delivering up such bills or debentures, shall be intitled to such an annuity as aforesaid; and the said guardian or guardians, trustee or trustees, shall be discharged from the same; any thing herein contained, or any law, usage, or custom, to the contrary in anywise notwithstanding.

Clause relative to executors, &c. interested in any such bills or debentures.

X. Provided also, and be it further enacted by the authority aforesaid, That any person or persons who, as executor to, or administrator, trustee, committee of an idiot or lunatick, or persons of unsound mind, depositary, or mortgagee, shall be or become possessed of, interested in, or intitled unto, any of the said bills or debentures, shall and may deliver up such bills or debentures as they shall be so possessed of, interested in, or intitled unto, to such respective treasurers as aforesaid; and as to executors or administrators, the annuities which they shall be intitled to, in respect of the said bills or debentures, so by them delivered up, shall be the same assets in their hands, as the said bills or debentures were or would have been had they not been so delivered up for such annuity as aforesaid; and as to trustees, committees, depositaries, and mortgagees, the annuity which they shall be intitled unto, for or in respect of such trust or mortgaged bills or debentures which they shall so deliver up to such respective treasurers as aforesaid, shall be subject and liable to the same trusts and equity of redemption, as such bills or debentures were or would have been, had they not been so delivered up for such annuity as aforesaid.

Bank empowered to receive certificates;

and to give credit, for the amount thereof, to the owners.

An attested copy of such books to be transmitted to the exchequer.

XI. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said governor and company of the bank of *England*, and their successors, or such person or persons as they shall appoint for that purpose, and he and they is and are hereby respectively authorized and required to take in and receive all and every of the certificates to be made out in lieu of the said bills and debentures as aforesaid, in pursuance of the directions of this act; and upon the receipt of every such certificate shall, and he and they is and are hereby required forthwith to give credit, in a book or books to be prepared for that purpose, for the principal sums contained in every such certificate so brought to him or them as aforesaid; and the persons, bodies politick or corporate, to whose credit such principal sums shall be entered in the said book or books, his, her, or their executors, administrators, or assigns, shall and may have power to assign and transfer the same, or any part, share, or proportion thereof, to any other person or persons, bodies politick or corporate whatsoever, in other books to be prepared and kept for that purpose; and the said governor and company for the time being, shall also, on or before the twenty-ninth day of *September*, one thousand seven hundred and eighty-five, transmit an attested duplicate, fairly written on paper, of the said book or books first herein-before mentioned, into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

XII. And, for the more easy and sure payment of the annuities established

established by this act, it is hereby further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, shall, from time to time, appoint and employ one or more sufficient person or persons, within their office in the city of *London*, to be their chief or first cashier or cashiers, and one other sufficient person, within the same office, to be their accountant-general; and that the monies from time to time and at any time being in the receipt of the exchequer, of the fund to be established for paying the said annuities, shall, by order of the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, without any further or other warrant to be sued for, had, or obtained in that behalf, be issued and paid, at the said receipt of exchequer, to the said first or chief cashier or cashiers of the said governor and company of the bank of *England*, and their successors for the time being, by way of impreſt, and upon account, for the payment of the said annuities; and that such cashier or cashiers, to whom the said monies shall, from time to time be issued, shall, from time to time, without delay, apply and pay the same accordingly, and render his or their accounts thereof, according to the due course of the exchequer.

Bank to appoint a cashier, and an accountant-general.

Commissioners of the treasury may order the monies of the said fund to be paid to the cashier for payment of the annuities.

XIII. And it is hereby also enacted, That the said accountant-general for the time being shall, from time to time, inspect and examine all receipts and payments of the said cashier or cashiers, and the vouchers relating thereunto, in order to prevent any fraud, negligence, or delay.

Accountant-general to examine receipts and payments, &c.

XIV. And be it further enacted by the authority aforesaid, That all the monies, intended to be converted into annuities by virtue of this act, shall be deemed, reputed, and taken to be one capital or joint stock, on which the said annuities, after the said rate of five pounds *per centum per annum*, shall be attending; and that all and every person and persons, and corporations whatsoever, in proportion to the money which he, she, or they shall be intitled to, as aforesaid, shall have, and be deemed to have, a proportional interest and share in the said stock, and in the annuity attending the same, at the rate aforesaid; and that the said whole capital or joint stock, or any share or interest therein, and the proportional annuity attending the same, shall be assignable and transferrable, as this act directs, and not otherwise; and that there shall constantly be kept in the office of the said accountant-general for the time being, within the city of *London*, a book or books, wherein all assignments or transfers of the said whole capital or joint stock, or any part thereof, and the proportional annuity attending the same, at the rate aforesaid, shall be entered and registered; which entries shall be conceived in proper words for that purpose, and shall be signed by the parties making such assignments or transfers, or, if any such party or parties be absent, by his, her, or their attorney or attorneys, thereunto lawfully authorized by writing under his, her, or their hands and seals, to be attested by two or more credible witnesses; and that the person or persons to whom such

All the monies to be converted into annuities by this act, to be one joint stock,

which shall be assignable.

Books to be kept by the accountant-general, for entering transfers.

Manner of transferring.

transfer

transfer shall be made, shall respectively underwrite his, her, or their acceptance thereof; and that no other method of assigning or transferring the said stock, and the annuities attending the same, or any part thereof, or any interest therein, shall be good and available in law, and that no stamp-duties whatsoever shall be charged on the said transfers, or any of them.

Annuities
may be devised
by will.

XV. Provided always, That all persons possessed of any share or interest in the said joint stock of annuities, or any estate or interest therein, may devise the same by will in writing, attested by two or more credible witnesses; but that no payment shall be made upon any such devise until so much of the said will as relates to such estate, share, or interest, be entered in the said office; and that in default of such transfer or devise, such share, estate, or interest, shall go to the executors, administrators, successors, and assigns.

Bank to continue a corporation, notwithstanding the redemption of their funds.

XVI. Provided also, and it is hereby further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, notwithstanding the redemption of all or any of their own funds, in pursuance of the acts for establishing the same, or any of them, shall continue a corporation for the purposes of this act, till all the said annuities shall be redeemed by parliament; and the said governor and company, or any member thereof, shall not incur any disability for or by reason of his or their doing any matter or thing in pursuance of this act.

No fee to be taken for computing interest, or cancelling bills, &c.

XVII. And it is hereby enacted by the authority aforesaid, That no fee, reward, or gratuity whatsoever, shall be demanded or taken for computing and marking the interest on the said bills or debentures, or for receiving, taking in, or cancelling the said bills or debentures, or any of them, or for granting certificates in lieu thereof, as aforesaid, or for issuing the monies for paying the said annuities, or any of them, or for any transfer of any sum, great or small, to be made in pursuance of this act; upon pain that any officer or person offending, by taking or demanding any fee, reward, or gratuity, contrary to this act, shall, for every offence, forfeit the sum of twenty pounds to the party grieved; to be recovered, with full costs of suit, by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, wherein no esoin, protection, privilege, or wager of law, injunction, or order of restraint, or any more than one imparlance, shall be granted or allowed.

on penalty of aol.

Commissioners of the treasury may reward all persons employed in executing this act.

XVIII. Provided always, and be it enacted by the authority aforesaid, That the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall have power, and they are hereby authorized, out of the fund to be established in this session of parliament for payment of the annuities granted by this act, or out of the sinking fund, to reward all such persons as shall be any ways employed in the execution of this act, for their service, pains, and labour; and also to defray such incident charges as shall necessarily attend the

the fame; and alfo to appoint fuch allowances as they fhall think proper for the fervice, pains, and labour of the cafhier or cafhiers of the faid governor and company of the bank of *England*, for receiving, paying, and accounting for the faid annuities made payable by this act; and alfo for the fervice, pains, and trouble of the accountant-general of the faid governor and company, for performing the duty and truft incumbent on him by this act; all which allowances, hereby impowered to be made as aforefaid, in refpect to the fervice, pains, and labour, of any officer or officers of the faid governor and company of the bank of *England*, fhall be for the ufe and benefit of the faid governor and company, and at their difpofal only; any thing herein contained to the contrary notwithstanding.

XIX. And be it further enacted by the authority aforefaid, That if any perfon or perfons fhall at any time or times be fued, molefted, or profecuted for any thing by him or them done or executed in purfuance of this act, or of any matter or thing therein contained, fuch perfon or perfons fhall and may plead the general iffue, and give the fpecial matter in evidence for his or their defence; and if a verdict fhall pafs for the defendant or defendants, or the plaintiff or plaintiffs fhall difcontinue his or their action, or be nonfuit, or judgement fhall be given againft him or them, upon demurrer or otherwife, then fuch defendant or defendants fhall have treble cofts to him or them awarded againft fuch plaintiff or plaintiffs.

Defendants
may plead the
general iffue,

and recover
treble cofts,

C A P. XL.

An act for granting to his Majefty additional duties on linens printed, painted, ftained, or dyed in Great Britain; and for granting certain duties on cotton ftuffs bleached or dyed in Great Britain; and on licences for bleaching or dying the fame; and upon the importation of ftuffs made of, or mixed with cotton, not painted, printed, ftained, or dyed in foreign parts.

Moft gracious Sovereign,

WE, your Majefty's moft dutiful and loyal fubjects, the Preamble:
commons of *Great Britain*, in parliament afsembled, towards raifing the neceffary fupplies for your Majefty's publick expences, have cheerfully refolved to give and grant to your Majefty the additional rates and duties herein-after mentioned, upon all linens which fhall be printed, painted, ftained, or dyed in *Great Britain*, and the feveral rates and duties herein-after mentioned upon all ftuffs made of cotton and linen mixed, and ftuffs wholly made of cotton wool, wove in *Great Britain*, which fhall be either bleached or dyed in *Great Britain*; and upon licences for bleaching or dying fuch ftuffs made of cotton and linen mixed, and ftuffs wholly made of cotton wool, wove in *Great Britain*; and do therefore moft humbly befeech your Majefty that it may be enacted; and be it enacted by the King's moft excellent
majefty,

From Oct. 1, 1784, the following additional duties to be paid to his Majesty for linens wholly made of hemp or flax, and stuffs made of cotton, or cotton and linen, reckoning yard-wide; videlicet,

majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of *October*, one thousand seven hundred and eighty-four, there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, for and upon all linens wholly made of hemp or flax, which, at any time or times after the said first day of *October*, one thousand seven hundred and eighty-four, shall be printed, painted, stained, or dyed in *Great Britain*, (such linens as shall be dyed throughout of one colour only, always excepted), the additional rates and duties herein-after expressed over and above all other duties payable for the same; that is to say,

For all linens made of hemp or flax, printed, dyed, &c. in *Great Britain*, (except those dyed throughout of

one colour), three farthings per yard: For and upon all linens wholly made of hemp or flax, to be printed, painted, stained, or dyed as aforesaid, in *Great Britain*, (such linens as shall be dyed throughout of one colour only, always excepted), the sum of three farthings for every yard in length, reckoning yard-wide, and after that rate for a greater or lesser quantity:

For cotton stuffs, and cotton and linen mixed, dyed as aforesaid in *Great Britain*, (not being linen gauzes sprigged with cotton), under 3s. per yard in

value, — 1 d. per yard: For and upon all stuffs made of cotton and linen mixed, and stuffs wholly made of cotton wool, wove in *Great Britain*, to be bleached or dyed as aforesaid in *Great Britain*, (not being lawns or gauzes of linen, ornamented, figured, or sprigged with cotton), which shall be under the value of three shillings by the yard in length, without respect to the breadth, before the same shall be bleached or dyed, the sum of one penny for every yard in length, reckoning yard-wide, and after that rate for a greater or lesser quantity:

For all such stuffs as aforesaid, worth 3s. per yard, or upwards, 2 d. per yard.

And for and upon all stuffs made of cotton and linen mixed, and stuffs wholly made of cotton wool, wove in *Great Britain*, to be bleached or dyed as aforesaid in *Great Britain*, (not being lawns or gauzes of linen, ornamented, figured, or sprigged with cotton), which shall be of the value of three shillings by the yard in length, without respect to the breadth, or of greater value, before the same shall be bleached or dyed, the sum of two-pence for every yard in length, reckoning yard-wide, and after that rate for a greater or lesser quantity.

New duties to be subject to the additional imposts of 5 per cent. on the amount thereof, as granted by 19 Geo. 3. c. 25; 21 Geo. 3. c. 17; and 22 Geo. 3. c. 66.

II. And be it further enacted by the authority aforesaid, That the said duties upon linens, printed, painted, stained, or dyed in *Great Britain*, and upon stuffs made of cotton and linen mixed, and stuffs wholly made of cotton wool, wove in *Great Britain*, shall be subject and liable to the additional duties or imposts of five pounds *per centum*, and five pounds *per centum* and five pounds *per centum*, on the produce and amount thereof respectively, in the same manner, and under the same regulations as the additional duties of five pounds *per centum*, five pounds *per centum*, and five pounds *per centum*, are granted to his Majesty by three several acts of parliament made in the

nineteenth, twenty-first, and twenty-second years of his present Majesty's reign.

III. And it is hereby enacted by the authority aforesaid, That the said duties by this act imposed upon all linens wholly made of hemp or flax, so printed, painted, stained, or dyed in Great Britain, shall, from time to time be raised, levied, ascertained, secured, collected, answered, and paid, by such ways and means, and under such management, and under such penalties and forfeitures, and with the like discounts, allowances, exemptions, and drawbacks, and in such manner and form as the duties imposed upon the same commodities, by an act made in the tenth year of the reign of Queen Anne, for laying several duties upon soap, paper, chequered and striped linens, and upon certain silks, callicoes, linens, and stuffs, printed, painted, or stained, (amongst other things thereby charged), towards raising the sum of one million eight hundred thousand pounds, therein mentioned; or by another act, made in the twelfth year of the reign of Queen Anne, for laying additional duties on soap and paper, and upon certain linens, silks, callicoes, and stuffs, amongst other things thereby charged, towards raising the sum of one million four hundred thousand pounds, therein mentioned, or by any other act or acts of parliament by either of the said two acts of Queen Anne referred unto, or by any other act of parliament since made, are to be raised, levied, ascertained, secured, collected, answered, and paid.

Duties on linens to be collected and recovered in the same manner as those imposed by

act 10 Annæ, c. 19;

and 12 Annæ, c. 9, &c.

IV. And, for the better securing the duties by this act granted upon all linens wholly made of hemp or flax, printed, painted, stained, or dyed in Great Britain, be it further enacted by the authority aforesaid, That such proper stamps or seals shall, on or before the first day of October, one thousand seven hundred and eighty-four, be provided and distributed by the commissioners for managing the several duties by the said two former acts, and by this act, chargeable on the said commodities, as may serve to denote the payment or charging of the several duties by this act, and the said former acts, chargeable on the same commodities respectively; and that the said stamps or seals by this act directed to be provided, shall be used and applied accordingly, and shall and may, from time to time, be renewed or altered by the said commissioners as often as they shall see fit to renew or alter the same.

On or before Oct. 1, 1784, stamps to be distributed by the commissioners for managing the duties on linens;

which may be renewed or altered.

V. And be it enacted by the authority aforesaid, That all the powers, authorities, rules, directions, pains of death, and other pains, penalties, and forfeitures, clauses, matters, and things whatsoever, contained in the said several acts of the tenth and twelfth years of the reign of Queen Anne, for raising, receiving, levying, recovering, securing, and paying the duties on such commodities as are by this act charged with additional duties, or touching the stamps thereby or hereby directed, shall be continued, practised, and put in execution for raising, receiving, levying, recovering, securing, and paying the additional duties by this act charged upon the same commodities,

Provisions of former acts for raising the duties hereby enlarged, extended to this act.

and all arrearages thereof, as fully and effectually, to all intents and purposes, as if they were particularly and at large repeated in this present act.

From Oct. 1,
1784, the fol-
lowing duties
on licences to
be paid to his
Majesty; vi-
delicet,

VI. And be it further enacted by the authority aforesaid, That there shall be paid to his Majesty, his heirs and successors, from and after the first day of *October*, one thousand seven hundred and eighty-four, the several duties herein-after mentioned, for and upon the several licences to be taken out in manner herein-after mentioned, by all bleachers or dyers, within *Great Britain*, of stuffs made of cotton and linen mixed, or stuffs wholly made of cotton wool, wove in *Great Britain*; that is to say,

Every bleach-
er or dyer of
cotton stuffs,
&c. 2l. per
ann.

Every bleacher or dyer of stuffs made of cotton and linen mixed, or of stuffs wholly made of cotton wool, wove in *Great Britain*, shall take out a licence, and pay for the same yearly the sum of two pounds.

From Oct. 1,
1784, no per-
son to bleach
or dye any
such stuffs,
without tak-
ing out a li-
cence.

VII. And be it further enacted by the authority aforesaid, That, from and after the said first day of *October*, one thousand seven hundred and eighty-four, no person or persons whatsoever, who now doth, or at any time hereafter shall bleach or dye any stuffs made of cotton and linen mixed, or any stuffs wholly made of cotton wool, wove in *Great Britain*, shall presume by him, her, or themselves, or by any other person or persons whatsoever employed by him, her, or them, for his, her, or their benefit, either publickly or privately, to bleach or dye any such stuffs made of cotton and linen mixed, or wholly made of cotton wool, wove in *Great Britain*, without first taking out a licence for that purpose in manner herein-after mentioned, before he, she, or they shall bleach or dye any such stuffs as aforesaid; for which licence he, she, or they shall immediately, upon taking out thereof, pay down for the same the sum of two pounds in manner following; that is to say, If such licence be taken out within the limits of the chief office of excise in *London*, then such licence shall be granted under the hands and seals of two or more of his Majesty's commissioners of excise for the time being, or of such person or persons as the commissioners of excise shall from time to time appoint for that purpose, and the duty for the same shall be paid at the chief office of excise in *London*; or if such licence shall be taken out in any part of *England* not within the said limits, or in *Wales*, or *Berwick upon Tweed*, then such licence shall be granted under the hands and seals of the collectors and supervisors of excise within their respective collections and districts, and the duty for the same shall be paid to the collector of excise within whose collection such licence shall be so granted: and in case such licence shall be taken out within the limits of the city of *Edinburgh*, such licence shall be granted under the hands and seals of two or more of his Majesty's commissioners of excise in *Scotland* for the time being, or of such person or persons as the commission-

Licences in
England and
Wales, by
whom to be
granted:

and in Scot-
land.

ers of excise in *Scotland* shall from time to time appoint for that purpose, and the duty for the same shall be paid at the chief office of excise in *Edinburgh*; or if such licence shall be taken out in any other part of *Scotland*, without the limits aforesaid, then such licence shall be granted under the hands and seals of the collectors and supervisors of excise within their respective collections and districts, and the duty for the same shall be paid to the collector of excise within whose collection such licence shall be so granted; and such respective commissioners of excise, and the persons so to be appointed by them respectively, and also all such collectors, are hereby respectively authorized and required to grant and deliver such licences to the persons who shall apply for the same, upon their paying the duty hereinbefore mentioned.

VIII. And be it further enacted by the authority aforesaid, That every person or persons who shall take out any such licence as aforesaid, is and are hereby required to take out a fresh licence, ten days at least before the expiration of twelve calendar months after taking out the first licence, before he, she, or they presume to bleach or dye any such stuffs as aforesaid, and in the same manner to renew every such licence from year to year, paying down the like sum of two pounds for every new or renewed licence, in the manner, and at the places and times hereinbefore mentioned: and if any person or persons shall, after the said first day of *October*, one thousand seven hundred and eighty-four, presume or offer to bleach or dye any such stuffs as aforesaid, without first taking out such licence, and renewing the same yearly, in manner aforesaid, he, she, or they shall respectively forfeit and lose the sum of fifty pounds for each offence: provided always, That persons in partnership, and carrying on their trade and business in any one house or place only, shall not be obliged to take out more than one licence in any one year for carrying on such trade; and that no one licence which shall be granted by virtue of this act, shall authorize or empower any person or persons to whom the same shall be granted, to bleach or dye any such stuffs as aforesaid in any other house or place than the house wherein he, she, or they did bleach or dye such stuffs as aforesaid, or in places thereto belonging, at the time of granting such licence.

Licences to be renewed annually.

Persons bleaching, &c. without taking out a licence, and renewing the same to forfeit 50l.

Persons in partnership need not take out more than one licence for one house.

IX. And be it further enacted by the authority aforesaid, That such of the said duties as are charged upon such licences in *England*, *Wales*, or the town of *Berwick upon Tweed*, shall be under the management of the commissioners and officers of his Majesty's revenue of excise in *England* for the time being; and such of the said duties as are charged upon such licences in *Scotland*, shall be under the management of the commissioners and officers of excise in *Scotland*.

Duties to be under the management of commissioners of excise.

X. And be it further enacted by the authority aforesaid, That all and every person and persons whatsoever, who, on or before the said first day of *October*, one thousand seven hundred and eighty-four, shall bleach or dye any stuffs made of cotton

Bleachers and dyers to leave notice at the next excise

office of their
names and
places of
abode, &c.

and linen mixed, or wholly made of cotton wool, wove in *Great Britain*, so that a duty shall be payable by this act upon the bleaching or dying the same, shall on or before the said first day of *October*, one thousand seven hundred and eighty-four, give or leave notice in writing, at the next office of excise, of their respective names and places of abode, and of the place or places where every such person or persons do usually bleach or dye such stuffs as aforesaid; and that all and every such bleacher or dyer, as often as he, she, or they shall change their places of bleaching or dying any of the said stuffs, and all and every person and persons who at any time shall be a bleacher or dyer of any such stuffs as aforesaid, shall give or leave the like notice of their respective names and places of abode, and of the rooms and places where they shall respectively work or intend to work in such bleaching or dying, and of the places where they respectively shall dry or intend to dry any such stuffs as aforesaid, and of all coppers, fats, and other utensils by them used in bleaching or dying, before they respectively presume to work in any such new or other place or places, or to use such copper, fat, or other utensil, upon pain to forfeit the sum of fifty pounds for every neglect or default by not giving such notice as aforesaid.

and of their
utensils,

on penalty
of 50l.

Bleachers and
dyers to make
entry every
six weeks.

Names and
places of
abode of the
owners to be
specified.

XI. And be it further enacted by the authority aforesaid, That, from and after the said first day of *October*, one thousand seven hundred and eighty-four, all and every person and persons who shall bleach or dye any such stuffs as aforesaid, upon the bleaching or dying whereof a duty is chargeable by this act, shall, once in every six weeks, make a true entry in writing, at the next office of excise, of all such stuffs as aforesaid so by him, her, or them severally bleached or dyed within every such six weeks respectively, which entries shall contain the just kinds and quantities thereof; and if such bleacher or dyer be not the true owner of such stuffs, or any of them, so bleached or dyed, then, and in every such case, he, she, or they, in every such entry, shall specify the names and places of abode of the persons who are the owners thereof, or for whose account they respectively do bleach or dye the same; which entry shall be made upon the oath of the bleacher or dyer, or of his, her, or their chief workman employed, to the best of their knowledge and belief, or, being a Quaker, upon his or her solemn affirmation; and the said oaths and affirmations to verify such entries shall and may be administered by the proper collector or supervisor of the district within which such bleacher or dyer doth inhabit, without any fee or charge for the same.

Need not go
further than
the next mar-
ket town for
making en-
tries.

XII. Provided always, That no person, for the making such entries, oaths, or affirmations as are last mentioned, shall be obliged to go or send further than the market town where his or her stuffs made of cotton only, or of cotton and linen mixed, are bleached or dyed, or the next market town to the place of bleaching or dying the same.

XIII. And be it further enacted by the authority aforesaid, That

That all and every person and persons who shall bleach or dye any such stuffs as aforesaid in *Great Britain*, shall from time to time, within six weeks after he, she, or they shall make, or ought to have made, such entry as aforesaid, clear off all the said duties which shall be then due or remain unpaid for all such stuffs as shall have been bleached or dyed by him, her, or them respectively as aforesaid, upon pain of forfeiting, for every default therein, double the sum of the same duties whereof the payment shall be so neglected; and that no such person, after such default in payment made, shall deliver or carry out, or cause to be delivered or carried out, any such bleached or dyed goods, until he hath paid and cleared off his duty, on pain to forfeit double the value of the goods so delivered or carried out.

Duties to be cleared within six weeks after entry,

on penalty of forfeiting double the sum left unpaid.

XIV. And be it further enacted by the authority aforesaid, That all and every the officers of excise shall at all times, by day or by night, and if in the night, then in the presence of a constable, or other lawful officer of the peace, be permitted, upon his or their request, to enter into the house, workhouse, dryinghouse, warehouse, field, or other place, belonging to or used by any person or persons who shall bleach or dye any such stuffs as aforesaid, and to take a just account of the kinds and quantities thereof which shall have been bleached or dyed by such person or persons from time to time, and shall thereof make a report or return in writing to the respective commissioners of excise, or such person or persons as they respectively shall appoint to receive the same; leaving a true copy, if demanded, of such report, in writing under his hand, with or for the said bleacher or dyer respectively, and such report or return shall be a charge upon every such bleacher or dyer respectively; and if the said officer shall refuse or neglect to give or leave a true copy of his report at the time of taking such account, the same being demanded as aforesaid, every such officer, for every such offence, shall forfeit the sum of forty shillings to every such bleacher or dyer respectively.

Officers may, on request, enter the houses, &c. of bleachers or dyers, and take account of stock, and make report thereof to the commissioners.

Copy of report to be left with the bleacher, &c.

on penalty of 40s.

XV. Provided always, That every officer who shall be empowered to make such charge as is last mentioned, shall, in the first place, be sworn by the due and faithful execution of his office, and the oath in that behalf shall and may be administered by all or any of the commissioners of excise, or by any of his Majesty's justices of the peace, who shall give to such officer a certificate thereof.

Officers empowered to make such charge, to be sworn.

XVI. And, for the better preventing of frauds, be it further enacted, That all and every the officers of excise shall also be permitted to take an account of the quantities of the said stuffs which shall at any time or times be in the custody or possession of any bleacher or dyer to be bleached or dyed; and in case any officer shall mis any quantity or quantities of such stuffs whereof he had taken an account at his last survey, then, and in every such case, such officer shall charge such bleacher or dyer

Officers may at any time, take an account of stuffs in the possession of any bleacher, &c.

with the duties of fuch ftuffs fo miffing, as if the fame were bleached or dyed.

Persons ob-
structing offi-
cers to forfeit
sol.

XVII. And be it enacted, That if any person or persons who shall bleach or dye any of the ftuffs aforefaid, shall obftruct or hinder any of the faid officers in the execution of the powers given by this act for afcertaining and fecuring the duties thereupon, the offenders therein, for every fuch offence, shall forfeit the fum of two hundred pounds.

Stuffs prepar-
ed for bleach-
ing or dying
before mea-
fured, &c. by
the officer, to
be forfeited,
and sol for
each piece,

XVIII. And be it further enacted by the authority aforefaid, That if any bleacher or dyer of ftuffs made of cotton and linen mixed, or wholly made of cotten wool, wove in *Great Britain*, shall bleach or dye fuch ftuffs, or prepare the fame for bleaching or dying, before the fame shall have been meafured and marked at both ends thereof by the officer of excife with a frame mark denoting the meafure thereof, then, and in every fuch cafe, the faid ftuffs fo bleached or dyed, or preparing for bleaching or dying, before being fo meafured and marked by the officer, shall be forfeited, and the bleacher or dyer, in whose poffeffion the fame shall be found, shall forfeit twenty pounds for every piece.

Bleached
goods not to
be removed,
until the offi-
cer have
taken an ac-
count thereof,
and marked
the fame,

XIX. And be it further enacted by the authority aforefaid, That no person or persons who shall bleach or dye any of the faid ftuffs chargeable with the faid duties by this act, shall remove, carry, or fend away, or fuff r to be removed, carried, or fent away, any of the faid ftuffs by him, her, or them bleached or dyed, until fuch time as the proper officer shall have taken an account of every particular quantity of fuch ftuffs fo to be carried away, and until every particular piece or parcel, or remnant of fuch ftuffs, be duly marked at both ends thereof with a ftamp or feal, or ftamps or feals, denoting the charging the duty as this act directs, on pain of forfeiting the fum of twenty pounds for every fuch offence, and that all fuch ftuffs, fo carried away without being marked with a ftamp or feal, or ftamps or feals, denoting the charging the faid duty, and being found in the poffeffion of any draper, or other trader or dealer therein, or of any person for the ufe of fuch draper, trader, or dealer, for fale, shall be forfeited, and may be feized by any officer of excife.

on penalty of
forfeiture.

Bleachers, &c.
who shall cut
out the offi-
cer's mark to
denote the
meafure shall
forfeit sol.

XX. And be it further enacted by the authority aforefaid, That in cafe any bleacher or dyer of fuch ftuffs as aforefaid shall wilfully cut out, obliterate or deface, or wilfully fuffer to be cut out, obliterated, or defaced, the frame mark put by the officer on any piece of fuch ftuffs as aforefaid, to denote the meafure thereof, every fuch bleacher or dyer shall forfeit the fum of ten pounds for every piece on which the faid frame mark shall be fo wilfully cut out, obliterated, or defaced.

Goods survey-
ed to be kept
feperate from
thofe not fur-
veyed.

XXI. And it is hereby further enacted, That all and every the faid bleachers and dyers of fuch ftuffs as aforefaid, shall from time to time keep fo much of the fame goods as shall not have been surveyed and taken an account of by the proper officers.

cers, separate and apart from all others of the same kind which shall have been surveyed and taken an account of by such officers, on pain to forfeit, for every offence therein, the sum of five pounds.

XXII. And be it further enacted, That if any of the said bleachers or dyers shall fraudulently hide or conceal, or cause to be hid and concealed, any such stuffs before or after the same are bleached or dyed, with intent to deceive his Majesty, of his just duties by this act granted, then, and in every such case, the party so offending shall forfeit the sum of fifty pounds for every such offence, and all the stuffs which shall be found in any private workhouse, or other place whereof no notice shall have been given as aforesaid, shall be forfeited, and may be seized by any officer of excise.

No goods to be fraudulently concealed, on forfeiture of 50l. and also the goods.

XXIII. And be it further enacted by the authority aforesaid, That all the utensils and instruments for the bleaching or dying any such stuffs as aforesaid, in the custody of any such bleacher or dyer as aforesaid, or of any person or persons to the use of, or in trust for them, or any of them, shall be liable to, and are hereby made chargeable with all the debts and duties in arrear and owing by such bleacher or dyer for any such stuffs bleached or dyed by him or them, or in his or their workhouses or places aforesaid; and shall be also subject to all penalties and forfeitures incurred by such person or persons so using such workhouse or other place, for any offence against this act relating to the duties on such stuffs as aforesaid so bleached or dyed; and it shall be lawful, in all such cases, to levy debts and penalties, and use such proceedings as may lawfully be done by this act, in relation to such goods, in case the debtor or offender were the true and lawful owner of the same.

Utensils to be liable to arrears of duties.

XXIV. And, for the better ascertaining, charging, collecting, levying, raising, and securing, the several duties by this act imposed upon all stuffs made of cotton and linen mixed, or wholly made of cotton wool, wove in Great Britain, bleached or dyed in Great Britain, and for preventing frauds concerning the same; be it further enacted by the authority aforesaid, That such of the said duties as are chargeable upon such stuffs bleached or dyed in England, Wales, or Berwick upon Tweed, shall be under the management of the commissioners and officers of excise in England for the time being; and such of the said duties as are chargeable upon such stuffs bleached or dyed in Scotland, shall be under the management of the commissioners and officers of excise in Scotland for the time being.

Duties on cotton stuffs, &c. to be under the management of commissioners of excise.

XXV. And be it further enacted by the authority aforesaid, That the respective commissioners of excise shall, on or before the first day of October, one thousand seven hundred and eighty-four, provide proper frame marks, to denote the measure of such stuffs as aforesaid, and proper seals or stamps, to denote the charging the duties thereon, and shall cause the said respective frame marks, seals and stamps, to be distributed to the respective officers for the several purposes before mentioned; which

Commissioners to provide frame marks, to denote the measure, and stamps to denote the duties.

Persons frau-
dulently coun-
terfeiting
stamps,

to suffer death
as felons.

Penalty on
persons sell-
ing such stuffs
with a coun-
terfeit stamp
thereon.

If any such
stuffs are sus-
pected to be
in the custody
of a draper,
&c. untamp-
ed, the com-
missioners, &c.
may issue their
warrants to
search for the
same,

Every piece of
stuff to be
marked be-
fore bleached,
&c.

officers are hereby enjoined and required, in using the same, to do no hurt or damage, or the least damage that may be, to the stuffs to be so marked or stamped; and the said stamps, or any of them, may be altered or renewed from time to time, as the said respective commissioners shall from time to time think fit: and if any person or persons whatsoever shall, at any time or times hereafter, counterfeit or forge any stamp or seal to resemble any stamp or seal which shall be provided in pursuance of this act, to denote the charging the duties on the said stuffs, or shall counterfeit or resemble the impression of the same upon any of the stuffs chargeable by this act, thereby to defraud his Majesty, his heirs or successors, of the said duty hereby granted, then every person so offending, being thereof convicted in due form of law, shall be adjudged a felon, and shall suffer death; as in cases of felony, without benefit of clergy: and if any person or persons shall, at any time or times hereafter, sell any such stuffs as aforesaid with a counterfeit stamp thereon, knowing the same to be counterfeited, and with an intent to defraud his Majesty, his heirs and successors, all and every such offender and offenders, their aiders, abettors, and assistants, being duly convicted as aforesaid, shall, for every such offence, forfeit, and lose the sum of one hundred pounds, and shall be adjudged to stand in the pillory, in some publick place, for the space of two hours.

XXVI. And be it further enacted by the authority aforesaid, That at any time or times, upon oath made by any credible person or persons, that he, she, or they have reason to suspect or believe that any such stuffs as aforesaid, for which a duty ought to have been paid or charged by this act, are or shall be in the custody or possession of any draper, or other person or persons trading or dealing therein, or of any person or persons for the use or account of such draper, or other trader or dealer, for sale, without having thereupon such seals or stamps as are by this act required to denote the payment, or charging the said duties thereupon, it shall and may be lawful for the respective commissioners of excise, or any two of them, within their respective limits, or for any two justices of the peace in any other parts of *Great Britain*, from time to time, to issue their respective warrants or orders, thereby authorising and requiring any officer or officers of excise, with the assistance of a constable or other officer of the peace, in the day time, to search for the same, and to open doors, chests, trunks, and packages, and to seize such stuffs, and to bring them to the excise office next to the place where they shall be so seized, in order to a further proceeding thereupon according to this act; and that every such warrant and order shall be obeyed and executed accordingly.

XXVII. And, for the better ascertaining the duties to be paid for such stuffs as aforesaid, be it further enacted by the authority aforesaid, That every manufacturer of the said stuffs, or other person who shall put out or send any of the said stuffs to be bleached or dyed, shall mark every piece, or remnant of a piece,

at

at Both ends thereof, with a mark, containing in words at length his or her name and place of abode, and also the price or value; that is to say, whether the said stuff be of the price or value of three shillings or upwards, or under the value of three shillings by the yard in length without respect to the breadth thereof; and shall also deliver a note in writing with the said stuffs to the bleacher or dyer, expressing the number of pieces, their quality and value; that is to say, whether of the value of three shillings by the yard in length, or upwards, or under that value as aforesaid, and the time when delivered to such bleacher or dyer; which note the said bleacher or dyer shall deliver to the officer who is to take an account of the said stuffs before the same shall be bleached or dyed, on pain that every piece of such stuff, not so marked as aforesaid, shall be forfeited, and may be seized by any officer of excise; and that the manufacturer or other person putting out or sending such piece, not so marked as aforesaid, shall forfeit and lose the sum of twenty pounds; and that every bleacher or dyer who shall bleach or dye any such stuffs as aforesaid on his own account, shall, before he begins to bleach or dye the same, mark each piece, or remnant of a piece, at both ends thereof, with a mark, containing in words at length his or her name and place of abode, and also the quality and the price or value; that is to say, whether the said stuff be of the price or value of three shillings or upwards, or under the value of three shillings by the yard in length without respect to the breadth thereof, before he begins to bleach or dye the same, on pain of forfeiting twenty pounds for every neglect; and also that the said stuffs, not so marked as aforesaid, shall be forfeited, and may be seized by any officer of excise; and in case any such manufacturer or other person, so putting out or sending such stuffs to be bleached or dyed as aforesaid, or any such bleacher or dyer, shall mark any piece or remnant of such stuffs, being really of the value of three shillings or upwards by the yard in length without respect to the breadth thereof, as being under the value of three shillings by the yard in length, every such piece or remnant shall be forfeited, and may be seized by any officer of excise, and the owner thereof shall forfeit the sum of twenty pounds for every such offence.

A note to be delivered to the bleacher or dyer, expressing the number of pieces, &c.

Penalty on omitting either of the above mentioned particulars.

Penalty on falsely marking any piece of stuffs.

XXVIII. *And whereas it may happen, in the bleaching or dying the said stuffs, that the frame marks set thereupon by the officer of excise, to denote the measure thereof, may unavoidably become obliterated or defaced; be it enacted by the authority aforesaid, That when the said frame marks shall become obliterated or defaced, the bleacher or dyer, who shall bleach or dye the said stuffs, shall give notice thereof to the officer of excise under whose survey he is, and require the said officer to renew the said frame mark, who shall renew the same accordingly.*

When frame marks become obliterated, they are to be renewed.

XXIX. *And be it further enacted by the authority aforesaid, That it shall be lawful for any person or persons who shall have actually paid his Majesty's duties by this act payable for*

Stuffs for which the duty has been paid, may be exported.

Stuffs relanded, after ſhipping thereof for exportation, to be forfeited.

Exporters of goods for which the duties have been paid, entitled to a drawback.

for any ſuch ſtuffs as aforeſaid, bleached or dyed in *Great Britain*, and for any other perſon or perſons who ſhall buy, or be lawfully intitled to any ſuch ſtuffs as aforeſaid, from the perſon or perſons who actually paid his Majeſty's duties payable by this act for the ſame, to export any ſuch ſtuffs, for which the duty was ſo paid, for any foreign parts, by way of merchandize, giving ſufficient ſecurity before the ſhipping thereof that the particular quantities ſo intended to be exported, and every part thereof, ſhall be ſhipped and exported, and not be relanded or brought again into any port of *Great Britain*; which ſecurity the customer or collector of the port of exportation ſhall take in his Majeſty's name; and to his uſe: provided always, That if, after the ſhipping of any ſuch ſtuffs, and the giving or tendering ſuch ſecurity as aforeſaid, in order to obtain the allowance or drawback herein-after mentioned, the ſame, or any part thereof, ſhall be relanded in any part of *Great Britain*, that then, and in every ſuch caſe, (over and above the penalty of the the bond which ſhall be levied and recovered to his Majeſty's uſe,) all the ſaid ſtuffs which ſhall be ſo landed, or the value thereof, ſhall be forfeited.

XXX. And it is alſo hereby enacted, That any perſon or perſons, who ſhall export any ſuch ſtuffs as aforeſaid, to or for any foreign parts, ſhall and may make proof, upon oath, (or, being Quakers, by affirmation,) that the duties thereon have been paid or ſecured according to this act, (which oath or affirmation the customer or collector of the port of exportation is hereby required and impowered to adminiſter;) and thereupon the ſaid customer or collector of the ſaid port of exportation ſhall give to the exporter thereof a debenture, expreſſing the true kinds and quantities of the ſaid ſtuffs, bleached or dyed, ſo exported; and the exportation thereof being certified by the ſearcher upon the ſaid debenture, the collector appointed to receive the ſaid duties upon ſuch ſtuffs as aforeſaid, in the county or place where ſuch exportation was made, upon producing the ſaid debenture ſo certified to him, ſhall forthwith pay the duties which ſhall have been received upon this act for the ſtuffs ſo exported, to the perſons ſo exporting the ſame, or their agents; and if ſuch collector ſhall not have money in his hands to pay any ſuch debenture, then the reſpective commiſſioners of exciſe are hereby required to pay, or cauſe to be paid, the ſaid debenture out of any duties ariſing by this act; or, if the duty of the ſtuffs ſo exported were only ſecured, and ſhall remain unpaid, then the ſame ſhall be diſcharged upon the ſecurity for the ſame.

Directions relative to exporting ſtuffs.

XXXI. And, for the better preventing the relanding any ſuch ſtuffs as ſhall be exported, to receive a drawback of the duties thereupon, be it further enacted by the authority aforeſaid, That, from and after the ſaid firſt day of *October*, one thouſand ſeven hundred and eighty-four, all and every perſon and perſons that ſhall export any ſuch ſtuffs as aforeſaid, for which a drawback is to be allowed, before he or they ſhall ſhip the ſaid ſtuffs, in order

order to obtain the drawback for the same, shall be obliged to give notice to the proper officer or officers to be appointed for that purpose by the respective commissioners of the customs, when and where he will pack up the said stuffs, in order to be exported; and the said commissioners of the customs are hereby impowered and directed to cause such officer to take care to see that such seal or seals, stamp or stamps, denoting that the said duties upon such stuffs are paid or charged, be taken off from every piece so intended to be exported; and the said officer or officers shall take an account of the kinds and quantities of the stuffs so intended to be exported, and make a return thereof to the officer that shall be appointed by such commissioners to receive the same, without any fee or reward for so doing: provided always, That the said officer or officers shall not permit to be packed up, in order to be exported, and shall not take off such seal or seals, stamp or stamps, denoting that the said duties have been paid or charged, from any piece of such stuffs as aforesaid, not having the frame mark, denoting the measure thereof, distinct and plain thereupon, and not obliterated nor defaced.

XXXII. And be it further enacted, That such of the said stuffs as shall have been charged with the respective duty aforesaid on the bleaching thereof, and shall afterwards be dyed of one colour throughout, shall not be charged again with the said duties upon being so dyed as aforesaid.

Stuffs charged on bleaching, not to be re-charged on being dyed of one colour.

XXXIII. And it is hereby further enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, for and upon all stuffs made of or mixed with cotton not printed, painted, stained, or dyed in foreign parts, (except such stuffs as are prohibited to be used or worn in Great Britain,) which, from and after the said first day of October, one thousand seven hundred and eighty-four, shall be imported or brought into this kingdom, over and above all customs subsidies, and duties already imposed thereon, the sum of one penny halfpenny for every yard square; and the said duty shall be also subject and liable to an additional impost or duty of five pounds *per centum* and five pounds *per centum* thereon, which were imposed by two several acts made in the nineteenth and twenty-second years of his Majesty's reign, for granting to his Majesty additional duties upon the produce of the several duties under the management of the respective commissioners of the customs and excise in Great Britain.

From Oct. 1, 1784, an additional duty of 1d. 2q. per yard square, to be paid on the importation of stuffs made of or mixed with cotton not printed, painted, &c. in foreign parts.

Duty liable to the impost of 5 per cent. thereon, imposed by 19 Geo 3 c. 25; and 22 Geo. 3. c. 66.

XXXIV. And it is hereby further enacted by the authority aforesaid, That the said duties herein-before granted upon the importation of such stuffs, made of or mixed with cotton, shall be under the management and direction of the commissioners of his Majesty's customs in England and Scotland respectively, and shall be paid down in ready money, without any discount or deduction whatsoever, and shall be drawn back upon the exportation of the same goods; and the said duty and drawback

Importation duties to be under the management of the commissioners of customs.

Duty and drawback to

be levied and recovered in the ſame manner as the former duties and drawbacks.

ſhall be raiſed, levied, collected, recovered, paid, and allowed, in the ſame manner and form, and under ſuch reſtrictions, penalties, and forfeitures, and by ſuch rules, ways, and methods, as the former duties and drawbacks for ſuch goods are reſpectively raiſed, levied, collected, recovered, paid, and allowed, (except where any alteration is made by this act,) as fully, to all intents and purpoſes, as if the ſeveral clauſes, powers, directions, penalties, and forfeitures, in any act or acts of parliament relating thereto, were particularly repeated and again enacted in the body of this preſent act.

Duties to be paid into the exchequer.

XXXV. And be it further enacted by the authority aforeſaid, That all the monies ariſing by the duties by this act granted (the neceſſary charges of raiſing and accounting for the ſame excepted) ſhall from time to time be paid into the receipt of his Maſteſty's exchequer at *Weſtmiſter*, ſeparate and apart from all other duties; and ſhall be a fund for the payment of the ſeveral annuities and all ſuch other charges and expences as are directed to be paid and payable purſuant to an act of this preſent ſeſſion of parliament, intituled, *An act for raiſing a certain ſum of money by way of annuities, and for eſtabliſhing a lottery*.

Application thereof.

The powers and penalties in act 12 Car. 2. c. 24, &c. relative to exciſe duties, ſhall be applied in executing this act.

XXXVI. And be it further enacted by the authority aforeſaid, That all and every the powers, authorities, directions, rules, methods, penalties, and forfeitures, clauſes, matters, and things, which in and by an act, made in the twelfth year of the reign of King Charles the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knights ſervice, and purveyance, and for ſettling a revenue upon his Maſteſty in lieu thereof*, or by any other law now in force relating to his Maſteſty's revenue of exciſe, or inland duties under the management of the commissioners of exciſe, are provided, ſettled, or eſtabliſhed, for ſecuring, enforcing, managing, raiſing, levying, collecting, paying, mitigating or recovering, adjudging or aſcertaining, the duties or penalties thereby granted, and for preventing, detecting, and puniſhing frauds relating thereto (other than in ſuch caſes for which other penalties or provisions are preſcribed by this act,) ſhall be exerciſed, practiſed, applied, uſed, and put in execution, in and for the managing, raiſing, levying, collecting, mitigating, adjudging, aſcertaining, recovering, and paying, the ſeveral duties hereby granted, as fully and effectually, to all intents and purpoſes, as if all and every the ſaid powers, authorities, rules, directions, methods, penalties, forfeitures, clauſes, matters, and things, were particularly repeated and again enacted in this preſent act.

Penalties and forfeitures how to be recovered and applied.

XXXVII. And be it further enacted by the authority aforeſaid, That all fines, penalties, and forfeitures, reſpecting the inland duties impoſed by this act, ſhall be ſued for, recovered, levied, or mitigated, by ſuch ways, means, and methods, as any fine, penalty, or forfeiture is or may be ſued for, recovered, levied, or mitigated, by any law or laws of exciſe, or by action of debt, bill, plaint, or information, in or of any his Maſteſty's

Majeſty's courts of record at *Weſtmiſter*, or in the court of *exchequer* in *Scotland* reſpectively; and that one moiety of every ſuch fine, penalty, or forfeiture, ſhall be to his Majeſty, his heirs and ſucceſſors, and the other moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

XXXVIII. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be brought or commenced againſt any perſon or perſons, for any thing by him or them done in purſuance of this act, ſuch action or ſuit ſhall be commenced within three months next after the matter or thing done, and ſhall be laid in the proper county; and the defendant or defendants in ſuch action or ſuit may plead the general iſſue, and give this act and the ſpecial matter in evidence, at any trial to be had thereupon; and if afterwards a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their action or proſecution, or judgement ſhall be given againſt him, her, or them, upon demurrer, or otherwiſe, then ſuch defendant or defendants ſhall have treble coſts awarded to him, her, or them, againſt ſuch plaintiff or plaintiffs.

Limitation of actions.

General iſſue.

Treble coſts.

C A P. XLI.

An act for laying certain duties upon licences to be taken out by the makers of, and dealers in, exciſeable commodities therein mentioned.

Moſt gracious Sovereign,

WE, your Majeſty's moſt dutiful and loyal ſubjects, the commons of *Great Britain*, in parliament aſſembled, towards raiſing the neceſſary ſupplies to defray your Majeſty's publick expences, have freely and voluntarily reſolved to give and grant to your Majeſty the ſeveral rates and duties upon licences herein-after mentioned; and do hereby moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the tenth day of *September*, one thouſand ſeven hundred and eighty-four, there ſhall be paid to his Majeſty, his heirs and ſucceſſors, the ſeveral and reſpective duties herein-after mentioned, for and upon the ſeveral and reſpective licences to be taken out in manner herein-after mentioned, by all makers and manufacturers, within *Great Britain*, of the ſeveral and reſpective commodities herein-after mentioned; that is to ſay,

Preamble.

From Sept. 10, 1784, the following duties on licences to be paid to his Majeſty; vide licet,

On or before the ſaid tenth day of *September*, one thouſand ſeven hundred and eighty-four, every common brewer of ſmall or table beer, not being a common brewer of ſtrong beer, ſhall take

For ſmall beer brewers, 11.

take out a licence, and pay for the same the sum of one pound :

Strong beer
brewers, who
brew yearly
not more than
1,000 barrels,
1*l.* 10*s.* Every common brewer who shall brew strong beer, shall take out a licence, and pay for the same the sum of one-pound, ten shillings, if the quantity of beer brewed by him shall not exceed, within the year, ending the fifth day of *July* in each year, previous to his taking out the licence, the quantity one thousand barrels :

Ditto, between
1,000 and
2,000 barrels,
2*l.* Every common brewer who shall brew strong beer, shall take out a licence, and pay for the same the sum of two pounds, if the quantity of beer brewed by him shall exceed, within the year, ending the fifth day of *July* in each year, previous to his taking out the licence, the quantity of one thousand barrels, and be under two thousand barrels :

Ditto, between
2,000 and
5,000 barrels,
5*l.* Every common brewer who shall brew strong beer, shall take out a licence, and pay for the same the sum of five pounds, if the quantity of beer brewed by him shall exceed, within the year, ending the fifth day of *July* in each year, previous to his taking out the licence, the quantity of two thousand barrels, and be under five thousand barrels :

Ditto, between
5,000 and
7,500, 7*l.* 10*s.* Every common brewer who shall brew strong beer, shall take out a licence, and pay for the same the sum of seven pounds, ten shillings, if the quantity of beer brewed by him shall exceed, within the year, ending the fifth day of *July* in each year, previous to his taking out the licence, the quantity of five thousand barrels, and be under seven thousand five hundred barrels :

Strong beer
brewers, who
brew yearly
between 7,500
and 10,000
barrels, 10*l.* Every common brewer who shall brew strong beer, shall take out a licence, and pay for the same the sum of ten pounds, if the quantity of beer brewed by him shall exceed, within the year, ending the fifth day of *July* in each year, previous to his taking out the licence, the quantity of seven thousand five hundred barrels, and be under ten thousand common barrels :

Ditto, between
10,000 and
20,000 bar-
rels, 20*l.* Every common brewer who shall brew strong beer, shall take out a licence, and pay for the same the sum of twenty pounds, if the quantity of beer brewed by him shall exceed, within the year, ending the fifth day of *July* in each year, previous to his taking out the licence, the quantity of ten thousand barrels, and be under twenty thousand barrels :

Ditto, between
20,000 and
30,000 bar-
rels, 30*l.* Every common brewer who shall brew strong beer, shall take out a licence, and pay for the same the sum of thirty pounds, if the quantity of beer brewed by him shall exceed, within the year, ending the fifth day of *July* in each year, previous to his taking out the licence, the quantity of twenty thousand barrels, and be under thirty thousand barrels :

Ditto, between
30,000 and
40,000 bar-
rels, 40*l.* Every common brewer who shall brew strong beer, shall take out a licence, and pay for the same the sum of forty pounds, if the quantity of beer brewed by him shall exceed, within the year, ending the fifth day of *July* in each year, previous to his taking out the licence, the quantity of thirty thousand barrels, and be under forty thousand barrels :

Every common brewer who ſhall brew ſtrong beer, ſhall take out a licence, and pay for the ſame the ſum of fifty pounds, if the quantity of beer brewed by him ſhall exceed, within the year, ending the fifth day of *July* in each year, previous to his taking out the licence, the quantity of forty thouſand barrels :

Ditto, exceeding 40,000 barrels, 50*l*.

Every diſtiller or maker of low wines or ſpirits, for ſale or for exportation, and every rectifier of ſpirits, ſhall take out a licence which licence ſhall be charged with a yearly ſum equal to the amount of one halfpenny *per* gallon of the contents of every ſtill or ſtills of each deſcription, which ſhall have been in the poſſeſſion of every ſuch diſtiller or rectifier within the year, ending the fifth day of *July* in each year, previous to his taking out the licence :

Every diſtiller of low wines or ſpirits, and every rectifier, ſhall take out a licence, and pay, &c.

Every brandy dealer, or perſon ſelling brandy or other ſpirituous liquors, not being a retailer, and not being a rectifier, ſhall take out a licence, and pay for the ſame the ſum of five pounds :

Brandy dealers, not being retailers or rectifiers, to pay 5*l*.

Every maker of mead for ſale ſhall take out a licence, and pay for the ſame the ſum of one pound :

Makers of mead, for ſale, 1*l*.

Every maker of any kind of ſweets, other than mead, for ſale, ſhall take out a licence, and pay for the ſame the ſum of five pounds :

Makers of other ſweets, 5*l*.

Every maker of vinegar for ſale ſhall take out a licence, and pay for the ſame the ſum of ten pounds :

Makers of vinegar, 10*l*.

Every maltſter, or maker of malt for ſale, ſhall take out a licence, and pay for the ſame the yearly ſum of five ſhillings, if the quantity of malt made by him ſhall not exceed, within the year, ending the twenty-third day of *June* in each year, previous to his taking out the licence, the quantity of fifty quarters :

Maltſters, who make not more than 50 quarters annually, 5*sh*.

Every maltſter, or maker of malt for ſale, ſhall take out a licence, and pay for the ſame the yearly ſum of ten ſhillings, if the quantity of malt made by him ſhall exceed, within the year, ending the twenty-third day of *June* in each year, previous to his taking out the licence, the quantity of fifty quarters, and be under one hundred quarters :

Thoſe who make more than 50, and leſs than 100 quarters, 10*sh*.

Every maltſter, or maker of malt for ſale, ſhall take out a licence, and pay for the ſame the yearly ſum of fifteen ſhillings, if the quantity of malt made by him ſhall exceed, within the year, ending the twenty-third day of *June* in each year, previous to his taking out the licence, the quantity of one hundred quarters, and be under one hundred and fifty quarters :

Between 100 and 150 quarters, 15*sh*.

Every maltſter, or maker of malt for ſale, ſhall take out a licence, and pay for the ſame the yearly ſum of one pound, if the quantity of malt made by him ſhall exceed, within the year, ending the twenty-third day of *June* in each year, previous to his taking out the licence, the quantity of one hundred and fifty quarters, and be under two hundred quarters :

Maltſters, who make between 150 and 200 quarters, 1*l*.

Every maltſter, or maker of malt for ſale, ſhall take out a licence, and pay for the ſame the yearly ſum of one pound, five ſhillings, if the quantity of malt made by him ſhall exceed, within the year, ending the twenty-third day of *June* in each

Ditto, between 200 and 250 quarters, 1*l*. 5*sh*.

year,

year, previous to his taking out the licence, the quantity of two hundred quarters, and be under two hundred and fifty quarters:

Ditto, between
250 and 300
quarters, 1 l.
10 s.:

Every maltster, or maker of malt for sale, shall take out a licence, and pay for the same the yearly sum of one pound, ten shillings, if the quantity of malt made by him shall exceed, within the year, ending the twenty-third day of *June* in each year, previous to his taking out the licence, the quantity of two hundred and fifty quarters, and be under three hundred quarters:

Ditto, between
300 and 350
quarters, 1 l.
15 s.:

Every maltster, or maker of malt for sale, shall take out a licence, and pay for the same the yearly sum of one pound, fifteen shillings, if the quantity of malt made by him shall exceed, within the year, ending the twenty-third day of *June* in each year, previous to his taking out the licence, the quantity of three hundred quarters, and be under three hundred and fifty quarters:

Ditto, between
350 and 400
quarters, 2 l.:

Every maltster, or maker of malt for sale, shall take out a licence, and pay for the same the yearly sum of two pounds, if the quantity of malt made by him shall exceed, within the year, ending the twenty-third day of *June* in each year, previous to his taking out the licence, the quantity of three hundred and fifty quarters, and be under four hundred quarters:

Maltsters, who
make between
400 and 450
quarters, 2 l.
5 s.:

Every maltster, or maker of malt for sale, shall take out a licence, and pay for the same the yearly sum of two pounds, five shillings, if the quantity of malt made by him shall exceed, within the year, ending the twenty-third day of *June* in each year, previous to his taking out the licence, the quantity of four hundred quarters, and be under four hundred and fifty quarters:

Ditto, between
450 and 500
quarters, 2 l.
10 s.:

Every maltster, or maker of malt for sale, shall take out a licence, and pay for the same the yearly sum of two pounds, ten shillings, if the quantity of malt made by him shall exceed, within the year, ending the twenty-third day of *June* in each year, previous to his taking out the licence, the quantity of four hundred and fifty quarters, and be under five hundred quarters:

Ditto, between
500 and 550
quarters, 2 l.
15 s.:

Every maltster, or maker of malt for sale, shall take out a licence, and pay for the same the yearly sum of two pounds, fifteen shillings, if the quantity of malt made by him shall exceed, within the year, ending the twenty-third day of *June* in each year, previous to his taking out the licence, the quantity of five hundred quarters, and be under five hundred and fifty quarters:

Ditto, exceed-
ing 550 quar-
ters, 3 l.:

Every maltster, or maker of malt for sale, shall take out a licence, and pay for the same the yearly sum of three pounds, if the quantity of malt made by him shall exceed, within the year, ending the twenty-third day of *June* in each year, previous to his taking out the licence, the quantity of five hundred and fifty quarters:

Every chandler or maker of candles, other than wax candles, for

For ſale, ſhall take out a licence, and pay for the ſame the ſum of one pound: Candle-makers, (except wax), 1 l. :

Every ſoap-maker ſhall take out a licence, and pay for the ſame the ſum of two pounds: Soap-makers, 2 l. :

Every paper-ſtainer, and every maker of paper, ſhall take out a licence, and pay for the ſame the ſum of two pounds: Paper-ſtainers, &c. 2 l. :

Every callico printer, and every printer, painter, or ſtainer of filks, linens, cottons, or ſtuffs, ſhall take out a licence, and pay for the ſame the ſum of ten pounds: Callico Printers, &c. 10 l. :

Every ſtarch-maker ſhall take out a licence and pay for the ſame the ſum of five pounds: Starch-makers, 5 l. :

Every wire-drawer, or other perſon who ſhall draw or cauſe to be drawn any gilt or ſilver wire, commonly called *Big Wire*, ſhall take out a licence, and pay for the ſame the ſum of two pounds: Wire-drawers, 2 l. :

Every tanner within the bills of mortality, or the borough of *Southwark*, ſhall take out a licence, and pay for the ſame the ſum of five pounds; and every other tanner the ſum of two or 2 l. 10 s. 3 p. : Tanners, 5 l. :

Every tawer ſhall take out a licence, and pay for the ſame the ſum of one pound: Tawers, 1 l. :

Every dreſſer of hides and ſkins in oil ſhall take out a licence, and pay for the ſame the ſum of two pounds: Dreſſers of hides in oil, 2 l. :

Every currier ſhall take out a licence, and pay for the ſame the ſum of two pounds: Curriers, 2 l. :

Every maker of vellum or parchment ſhall take out a licence, and pay for the ſame the ſum of one pound: Vellum-makers, &c. 1 l. :

Every glaſs-maker ſhall take out a licence, for each and every glaſs-houſe by him uſed, and pay for the ſame the ſum of ten pounds: Every glaſs-houſe, 10 l. :

II. Provided always, and be it enacted, That any perſon or perſons who ſhall, at any time after the fifth day of *July*, one thouſand ſeven hundred and eighty-four, firſt become a common brewer of ſtrong beer for ſale, ſhall, before he or ſhe ſhall brew any ſtrong beer for ſale, take out a licence, and pay for the ſame the ſum of one pound, ten ſhillings; and at the end of any and every year after the ſaid fifth day of *July*, one thouſand ſeven hundred and eighty-four, ſhall pay ſuch further additional duty for ſuch licence herein-before charged, according to the number of barrels of ſtrong beer ſo brewed by him or her within the preceding year, as herein-before is directed. Strong beer brewers to pay for a licence, 1 l. 10 s. :

III. Provided always, and be it enacted, That if any perſon who, before the fifth day of *July*, one thouſand ſeven hundred and eighty-four, was a common brewer of ſtrong beer, ſhall withdraw his or her entry at the office of exciſe where he or ſhe has made entry, and afterwards make a freſh entry at the ſame or any other office of exciſe, he or ſhe ſhall not be deemed a perſon becoming a common brewer of ſtrong beer ſince the fifth day of *July*, one thouſand ſeven hundred and eighty-four, Brewers who withdraw their entries, and make freſh ones, to pay the whole duty.

but shall pay the whole duty imposed by this act upon his or her licence at the time of taking out the same.

Maltsters to
pay 5s. for a
licence;

and an addi-
tional duty
annually ac-
cording to the
quantity
made.

Maltsters who
withdraw
their entries,
and make
fresh ones, to
pay the whole
duty.

IV. Provided always, and be it enacted, That any person or persons who shall, at any time after the twenty-third day of *June*, one thousand seven hundred and eighty-four, first become a maltster, or maker of malt for sale, shall, before he or she shall make any malt for sale, take out a licence, and pay for the same the sum of five shillings; and at the end of any and every year, after the said twenty-third day of *June*, one thousand seven hundred and eighty-four, shall pay such further additional duty for such licence herein-before charged, according to the quantity of malt so made by him within the preceding year, as herein-before is directed.

V. Provided always, and be it enacted, That if any person, who, before the twenty-third day of *June*, one thousand seven hundred and eighty-four, was a maltster, or maker of malt for sale, shall withdraw his or her entry at the office of excise where he or she has made entry, and afterwards make a fresh entry at the same or any other office of excise, he or she shall not be deemed a person becoming a maltster, or maker of malt for sale, since the twenty-third day of *June*, one thousand seven hundred and eighty-four, but shall pay the whole duty imposed by this act upon his or her licence at the time of taking out the same.

From Sept. 10,
1784, no per-
son to make
any of the
aforesaid
commodities,
without a li-
cence;

nor to deal in
brandy, with-
out a 5l. li-
cence.

VI. And be it further enacted by the authority aforesaid, That, from and after the said tenth day of *September*, one thousand seven hundred and eighty-four, no person or persons whatsoever who now doth, or at any time hereafter shall make or manufacture any of the commodities herein-before mentioned, shall presume by him, her, or themselves, or by any other person or persons whatsoever employed by him, her, or them, for his, her, or their benefit, either publicly or privately, to make or manufacture any of the commodities herein-before mentioned for sale, without first taking out a licence for that purpose, in manner herein-after mentioned, before he, she, or they shall make or manufacture any of the aforesaid commodities, for which licence he, she, or they shall immediately, upon taking out thereof, pay down for the same the sum or sums of money respectively herein-before mentioned; and that, from and after the said tenth day of *September*, one thousand seven hundred and eighty-four, no person or persons who now doth, or at any time hereafter shall deal in brandy, not being a retailer, nor a rectifier, nor a distiller, shall presume, by him, her, or themselves, or by any other person or persons whatsoever employed by him, her, or them, for his, her, or their benefit, either publicly or privately, to deal in brandy, without first taking out a licence for that purpose, in manner herein-after mentioned, before he, she, or they shall so deal in brandy, for which licence, he, she, or they shall immediately, upon taking out thereof, pay down for the same the said sum of five pounds: and that if any fact

licence

licences ſhall be taken out within the limits of the chief office of exciſe in *London*, then ſuch licence ſhall be granted under the hands and ſeals of two or more of his Maſteſty's commiſſioners of exciſe for the time being, or of ſuch perſon or perſons as the commiſſioners of exciſe ſhall from time to time appoint for that purpoſe, and the ſaid ſeveral and reſpective duties ſhall be paid at the chief office of exciſe in *London*; or if ſuch licences ſhall be taken out in any part of *England* or *Wales*, not within the ſaid limits, or in the town of *Berwick upon Tweed*, that ſuch licences ſhall, in ſuch caſe, be granted under the hands and ſeals of the ſeveral collectors and ſuperviſors of exciſe within their reſpective collections and diſtricts, and the ſaid ſeveral and reſpective duties ſhall be paid for the ſame to the collector of exciſe within whoſe collection ſuch licences ſhall be ſo granted; and that in caſe ſuch licences ſhall be taken out within the limits of the city of *Edinburgh*, ſuch licences ſhall be granted under the hands and ſeals of two or more of his Maſteſty's commiſſioners of exciſe in *Scotland* for the time being, or of ſuch perſon or perſons as the commiſſioners of exciſe in *Scotland* ſhall from time to time appoint for that purpoſe, and the ſeveral and reſpective duties for the ſame ſhall be paid at the chief office of exciſe in *Edinburgh*; or if ſuch licences ſhall be taken out in any other part of *Scotland*, without the limits aforeſaid, then ſuch licences ſhall be granted under the hands and ſeals of the ſeveral collectors and ſuperviſors of exciſe within their reſpective collections and diſtricts, and the ſeveral and reſpective duties for the ſame ſhall be paid to the collector of exciſe within whoſe collection ſuch licences ſhall be ſo granted; and ſuch reſpective commiſſioners of exciſe, and the perſons ſo to be appointed by them reſpectively, and alſo all ſuch collectors, are hereby reſpectively authorized and required to grant and deliver ſuch licences to the perſons who ſhall apply for the ſame, upon their payment of the ſaid ſeveral and reſpective duties herein-before mentioned.

Who are to grant licences.

VII. And be it further enacted by the authority aforeſaid, That all and every perſon or perſons who ſhall take out any ſuch licence as aforeſaid, is and are hereby required to take out a freſh licence, ten days at leaſt before the expiration of twelve calendar months after taking out the firſt licence, before he, ſhe, or they ſhall preſume to make or manufacture any of the commodities herein-before mentioned for ſale, and in the ſame manner to renew every ſuch licence from year to year, paying down the like ſum for each and every new or renewed licence, as is by this act required for the firſt licence, in manner and at the places and times herein-before mentioned: and that if any perſon or perſons ſhall, after the ſaid tenth day of *September*, one thouſand ſeven hundred and eighty-four, preſume or offer to make or manufacture any of the commodities herein-before mentioned for ſale, without firſt taking out ſuch licence, and renewing the ſame yearly in manner aforeſaid, he, ſhe, or they ſhall

Licences to be renewed annually.

Perſons making any of the ſaid commodities, without taking out a licence, and renewing the ſame annually.

ally, are liable shall respectively forfeit and lose the several and respective penalties herein-after mentioned for each offence; that is to say,

Corn distillers, &c. 201. : Every corn distiller so offending, shall forfeit the sum of two hundred pounds :

Strong beer brewers, &c. 201. : Every common brewer of strong beer or ale, every vinegar maker, every callico printer, or printer, painter, or stainer of silks, linens, cottons, or stuffs, and every glass maker, so offending, shall forfeit the sum of fifty pounds :

Melasses distillers, rectifiers, &c. 201. : Every melasses distiller, every rectifier of spirits, every brandy dealer, or seller of brandy or other spirituous liquors, not being a retailer, every maker of sweets other than mead, every starch-maker, and every tanner, so offending, shall forfeit the sum of thirty pounds :

Soap-makers, Paper stainers, &c. 201. : Every soap-maker, every paper-stainer, and paper-maker, every wire-drawer, or maker of gilt or silver wire, called *Big Wire*, every dresser of hides or skins in oil, and every currier, so offending, shall forfeit the sum of twenty pounds :

Small beer brewers, maltsters, &c. 201. : Every common brewer of table beer or of small beer, every maltster or maker of malt, every maker of mead, every chandler or maker of candles (other than wax candles), every tawer of hides and skins, and every maker of vellum and parchment, so offending, shall forfeit the sum of ten pounds.

Persons in partnership need take out only one licence for one house. VIII. Provided always, That persons in partnership, and carrying on their trade and business in one house or shop only, shall not be obliged to take out more than one licence in any one year for carrying on such trade; and that no one licence which shall be granted by virtue of this act, shall authorize or empower any person or persons, to whom the same shall be granted, to make or manufacture any of the commodities herein-before mentioned in any other house or place than the houses or places wherein he, she, or they did make or manufacture the said respective commodities at the time of granting such licence.

Duties to be under the management of the commissioners of excise. IX. And, for the better collecting, raising, levying, and securing the duties by this act imposed upon licences as aforesaid, be it further enacted by the authority aforesaid, That such of the said duties as are charged upon such licences in *England, Wales*, or the town of *Berwick upon Tweed*, shall be under the management of the commissioners and officers of his Majesty's revenue of excise in *England* for the time being; and such of the said duties as are charged upon such licences in *Scotland*, shall be under the management of the commissioners and officers of excise in *Scotland* for the time being.

The powers and penalties in act 12 Car. 2. c. 24, &c. relative to X. And be it further enacted by the authority aforesaid, That all and every the powers, authorities, directions, rules, methods, penalties, and forfeitures, clauses, matters, and things, which in and by an act, made in the twelfth year of the reign of King *Charles the Second*, intituled, *An act for taking away the* court

duty of wards and liveries, and tenures in capite, and by knights service, and purveyance, and for settling a revenue upon his Majesty in lieu thereof, or by any other law now in force relating to his Majesty's revenues of excise or inland duties, under the management of the commissioners of excise, are provided, settled, or established, for securing, enforcing, managing, raising, levying, collecting, paying, mitigating, or recovering, adjudging, or ascertaining the duties or penalties thereby granted, and for preventing, detecting, and punishing frauds relating thereto, other than in such cases for which other penalties or provisions are prescribed by this act, shall be exercised, practised, applied, used, and put in execution, in and for the managing, raising, levying, collecting, mitigating, adjudging, ascertaining, recovering, and paying, the several duties hereby granted, as fully and effectually, to all intents and purposes, as if all and every the said powers, authorities, rules, directions, methods, penalties, forfeitures, clauses, matters, and things, were particularly repeated and again enacted in this present act.

excise duties, shall be applied in executing this act.

. XI. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, imposed by this act, shall be sued for, recovered, levied, or mitigated, by such ways, means, and methods, as any fine, penalty, or forfeiture, is or may be sued for, recovered, levied, or mitigated, by any law or laws of excise, or by action of debt, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland* respectively; and that one moiety of every such fine, penalty, or forfeiture shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall discover, inform, or sue for the same.

Penalties and forfeitures how to be recovered and applied.

. XII. And be it further enacted by the authority aforesaid, That all the money arising by the duties by this act imposed upon licences as aforesaid, (the necessary charges of raising and accounting for the same excepted), shall, from time to time, be paid into the receipt of his Majesty's exchequer at *Westminster*, separate and apart from all other duties; and the said money, so paid into the said receipt of exchequer as aforesaid, shall be a fund for the payment of the several annuities, and all such other charges and expences as are directed to be paid and payable pursuant to an act of this present session of parliament, intituled; *An act for raising a certain sum of money by way of annuities, and for establishing a lottery.*

Duties to be paid into the exchequer.

Application thereof.

. XIII. And be it further enacted by the authority aforesaid, That if any action or suit shall be brought or commenced against any person or persons, for any thing by him or them done in pursuance of this act, such action or suit shall be commenced within three months next after the matter or thing done, and shall be laid in the proper county; and the defendant or defendants in such action or suit may plead the general issue, and give this act, and the special matter, in evidence at any trial to be had thereupon; and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited,

Limitation of actions.

General issue

non-suited, or discontinued his, her, or their action or prosecution, or judgement shall be given against him, her, or them, upon demurrer, or otherwise, then such defendant or defendants shall have treble costs awarded to him, her, or them, against such plaintiff or plaintiffs.

Treble costs.

C A P. XLII.

An act to explain, amend, and render more effectual, an act made in the thirtieth year of the reign of his late majesty King George the Second, intituled, An act for the more effectual punishment of persons who shall attain, or attempt to attain possession of goods or money, by false or untrue pretences; for preventing the unlawful pawning of goods; for the easy redemption of goods pawned; and for preventing gaming in publick houses, by journeymen, labourers, servants, and apprentices, so far as the same relates to the preventing the unlawful pawning of goods; and for the easy redemption of goods pawned.

Preamble.

Act 30 Geo. 2.
c. 24. recited.

WHEREAS, by an act passed in the thirtieth year of the reign of his late majesty King George the Second, intituled, An act for the more effectual punishment of persons who shall attain, or attempt to attain, possession of goods or money, by false or untrue pretences; for preventing the unlawful pawning of goods; for the easy redemption of goods pawned; and for preventing gaming in publick houses, by journeymen, labourers, servants, and apprentices, certain rules and provisions are prescribed and established for regulating the manner in which goods and chattels may be taken in pledge or pawn, for the repayment of money lent thereon, not exceeding in the whole the principal sum of ten pounds, and directing the mode of redeeming such goods and chattels, on payment of principal and interest of the money borrowed thereon, with such further sum, for charges of warehouse room, as the parties should have agreed on at the time of making such pledge or pawn: and whereas several tenders of money, for principal and interest of money lent, and warehouse room of goods pledged, lately made for the redemption of goods pledged, to pawnbrokers, the amount of which interest and charges for warehouse room, so tendered, hath been much below the amount of the usual and customary interest and charges for warehouse room taken by pawnbrokers in the said trade, and at a rate much below the necessary expences thereof, have lately been considered to be sufficient, and verdicts have been obtained by persons making such tenders as aforesaid, against the pawnbrokers; and if the said business should be carried on agreeably to such verdicts, the profits arising therefrom would be so much reduced as to be insufficient to afford an adequate maintenance for the pawnbroker: and whereas the said recited act is in other respects (so far as the same relates to the pawning goods, and redemption of goods pawned) insufficient to answer the good purposes thereby intended: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the

the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall be lawful from and after the second day of *August*, one thousand seven hundred and eighty-four, for all persons using or exercising the trade or business of a pawnbroker, to demand, receive, and take, of and from all and every person and persons, applying or offering to redeem any goods or chattels pawned or pledged with such pawnbroker, a profit after the following rates, over and above the principal sum and sums which shall have been lent and advanced upon the respective pledge or pledges, before any such pawnbroker shall be obliged to redeliver the same; *videlicet*,

Rates of profit allowed to be taken for the future.

For every pledge upon which there shall have been lent any sum not exceeding two shillings and sixpence, the sum of one halfpenny for any time during which the said pledge shall remain in pawn, not exceeding one calendar month, and the same for every calendar month afterwards, including the current month in which such pledge shall be redeemed, although such month shall not be expired :

For every pledge upon which there shall have been lent a sum above the sum of two shillings and sixpence, and not exceeding five shillings, one penny :

And if above five shillings, and not exceeding seven shillings and sixpence, one penny halfpenny :

And if above seven shillings and sixpence, and not exceeding ten shillings, two-pence :

And if above ten shillings, and not exceeding twelve shillings and sixpence, two-pence halfpenny :

And if above twelve shillings and sixpence, and not exceeding fifteen shillings, three-pence :

And if above fifteen shillings, and not exceeding seventeen shillings and sixpence, three-pence halfpenny :

And if above seventeen shillings and sixpence, and not exceeding one pound, the sum of four-pence :

And so on progressively, and in proportion, for any sum not exceeding ten pounds, to be paid for by the calendar month in manner above mentioned ; which several sums shall be in lieu of, and taken as a full satisfaction for all interest due, and charges for warehouse room.

It. And be it further enacted, That in case any difference or dispute shall arise between any person or persons pledging or redeeming, or offering to redeem, any goods or chattels, and the pawnbroker with whom the same shall have been pledged, respecting the redelivery thereof, or the money to be paid to such pawnbroker, every such difference or dispute, in case the original sum lent was under forty shillings, shall be settled and determined by some justice of the peace acting for the respective county, riding, division, city, town, liberty, or place, who is hereby authorized and required, upon application being made

Disputes relating to small sums to be settled by a justice.

to him for that purpoſe, by examination on oath of the parties themſelves, and ſuch other credible perſon or perſons as ſhall appear before him, touching the premiſes, to hear and determine the ſame, which determination ſhall be final and binding unto and upon all perſons; and that no ſuch difference or diſpute ſhall be tried, heard, or determined, in any of the ſuperior courts of law, or in any other manner than before a juſtice of the peace as aforeſaid.

Persons pledg-
ing to take a
duplicate.

III. And be it further enacted, That when any perſon or perſons ſhall pledge with any pawnbroker any goods or chattels, whereupon a ſum of two ſhillings or upwards is lent, ſuch pawnbroker ſhall and is hereby required to give a duplicate or copy of the entry made in his or her book reſpecting the goods and chattels ſo pawned, which duplicate the perſon receiving the money lent is, hereby required to receive and take; and every ſuch duplicate, where the ſum lent ſhall not exceed five ſhillings, ſhall be given *gratis*; and where the money lent ſhall be more than five ſhillings, and not exceeding ten ſhillings, ſuch pawnbroker ſhall and may take one halfpenny for the ſame; and where the ſum lent ſhall be more than ten ſhillings, and not exceeding twenty ſhillings, ſuch pawnbroker ſhall and may take one penny for the ſame; and where the money lent ſhall be more than twenty ſhillings, and not exceeding five pounds, the ſum of two-pence for the ſame; and where the money lent ſhall be more than five pounds, the ſum of four-pence, and no more, any law or ſtatute to the contrary notwithstanding; and which duplicate ſhall be produced to the pawnbroker before he ſhall be obliged to redeliver the reſpective goods or chattels, except linen or apparel entrusted to any perſon or perſons, for the purpoſe of waſhing, ſcouring, ironing, mending, or making up the ſame; and alſo except goods or chattels which ſhall have been feloniously taken and carried away, or unlawfully pawned or pledged; and except as herein-after is excepted.

Proviſion of
former act
reſpecting
duplicates
amended.

IV. And whereas many inconveniences have ariſen to perſons carrying on the buſineſs of a pawnbroker, from ſeveral different perſons claiming a property in the ſame goods and chattels, where duplicates or copies of the entries made in the pawnbroker's book, at the time of taking ſuch goods and chattels in pawn, have been given, as the ſaid former act directs; for remedy whereof in future, be it further enacted by the authority aforeſaid, That, from and after the ſaid ſecond day of *Auguſt*, in all caſes where ſuch duplicate or copy hath been given, the perſon or perſons who ſhall, at any time after, produce ſuch duplicate or copy to the perſon or perſons with whom the goods therein ſpecified were pawned or pledged, as the owner thereof, and require a delivery of the goods or chattels mentioned therein, to him, her, or them, ſuch perſon or perſons ſhall be, and hereby is and are deemed and taken to be, ſo far as reſpects the perſon or perſons having ſuch goods and chattels in pledge, the real owner and owners, proprietor and proprietors, of the ſaid goods and chattels; and the perſon or perſons ſo uſing the ſaid trade and buſineſs of a pawn-

pawnbroker shall be, and is hereby directed and required, after receiving satisfaction pursuant to the provisions of this act, respecting principal and profit, to deliver such goods and chattels to the person or persons who shall so produce the said duplicate or copy to him, her, or them, and shall be, and is and are hereby indemnified for so doing, unless he, she, or they, shall have had previous notice, from the real owner or owners thereof, not to deliver the same to the person or persons producing such duplicate, or unless notice shall have been given to him, her, or them, that the goods and chattels pawned have been, or are suspected to have been, fraudulently or feloniously taken or obtained, and unless the real owner or owners thereof proceed in manner herein-after provided and directed, for the redeeming of goods and chattels pledged, where such duplicate or copy hath been lost, mislaid, destroyed, or fraudulently obtained from the owner or owners thereof.

And be it further enacted by the authority aforesaid, That in case any pawnbroker shall have had such previous notice as aforesaid, or in case any such duplicate or copy as aforesaid shall be lost, mislaid, destroyed, or fraudulently obtained from the owner or owners thereof, and the goods and chattels mentioned therein shall remain unredeemed, that then, and in every such case, the owner or owners of such duplicate, and of the goods and chattels mentioned therein, as the case may happen, shall prove his, her, or their property in such goods and chattels, to the satisfaction of some justice of the peace for the county, riding, division, city, town, liberty, or place, and shall also make an affidavit of the particular circumstance attending the case, before such justice of the peace, whereupon the pawnbroker shall suffer the person or persons proving such property to the satisfaction of such justice as aforesaid, and making such affidavit as aforesaid, to redeem such goods or chattels; and such proof and affidavit shall be, and is hereby declared to be, a full and sufficient indemnity to the pawnbroker, so delivering the said goods or chattels, against all and every person or persons whomsoever.

Provision, in case of duplicate being lost, &c.

VI. *And whereas it would be beneficial that all goods should be deemed as forfeited, and liable to be sold, in less than the time limited and prescribed by the said recited act:* be it therefore further enacted by the authority aforesaid, That all goods and chattels which, after the second day of August, one thousand seven hundred and eighty-four, shall be pawned or pledged, on which any sum exceeding ten shillings, and not exceeding ten pounds, shall have been lent, shall and may be sold by publick auction, but not otherwise, by the person having the same in pawn, at and after the expiration of one whole year from the time of pawning the same; and that all persons redeeming any goods or chattels, which were pawned or pledged before the said second day of August, shall be permitted so to do upon the terms of, and according to the table of rates by this act established.

For sale of things pawned.

VII. Provided always, and be it further enacted by the authority

ity

Accounts of sales of goods to be entered in books, and overplus paid to persons entitled to the goods.

rity aforesaid, That every person or persons to whom any goods or chattels shall have been pawned or pledged, shall from time to time, enter in a book or books to be kept for that purpose, a true and just account of the sale of all goods and chattels pawned to him, her, or them, for ten shillings, or upwards, which shall be sold as aforesaid, expressing the day when, and the money for which, such goods or effects pawned were sold, together with the name and place of abode of the auctioneer by whom the same were sold; and in case any such goods or effects shall be sold for more than the principal money and profit aforesaid, due thereon at the time of such sale, the overplus shall, by every such pawnbroker, be paid on demand to the person by or on whose account such goods or chattels were pawned, his, her, or their executors, administrators, or assigns, in case such demand shall be made within three years after such sale, the necessary costs and charges of such sale being first deducted; and such person or persons who pawned or pledged such goods or chattels, his, her, or their executors, administrators, or assigns, shall, for his, her, or their satisfaction in this matter, be permitted to inspect the entry to be made as aforesaid of every such sale, paying for such inspection the sum of one penny, and no more: and in case any person or persons shall refuse to permit any such person or persons, who pawned or pledged such goods or chattels, to inspect such entry as aforesaid, in any such book or books, such person or persons, if an executor or executors, administrator or administrators, or assignee or assignees, at such time producing his, her, or their letters testamentary, letters of administration, or assignment; or in case the goods or effects were sold for more than the sum entered in any such book or books; or if any such person or persons shall not make such entry; or shall not have, *bona fide*, according to the directions of this act, sold the same; or shall refuse to pay such overplus, upon demand, to the pawner or pawners, his, her, or their executors, administrators, or assigns, he, she, or they producing such their letters testamentary, letters of administration, or assignment; every such person or persons so offending, shall, for every such offence, forfeit treble the sum such goods and chattels shall originally have been pawned for, to the person or persons by whom, or on whose account, such goods or chattels were pawned, his, her, or their executors, administrators, or assigns, to be levied by distress and sale of the offenders goods and chattels, by warrant under the hands and seals of any two justices of the peace for the county, riding, division, city, town, liberty, or place where the offence shall be committed; and no such offence shall be tried, heard, or determined in any of the superior courts of law, or in any other manner than before two justices of the peace as aforesaid: and to the end that justice may be more effectually obtained in all matters concerning goods and chattels received in pawn by pawnbrokers, where justices of the peace are authorized to take cognizance thereof by virtue of this or any other act of parliament, it shall and may be law-

Justices may summon pawnbrokers before them, to attend with books, duplicates, &c.

ful for any juſtice of the peace, upon complaint made to him on the oath of one or more credible witneſs or witneſſes reſpecting any diſpute between pawnbrokers and perſons having pawned goods, or reſpecting any felony, or other matter, which in the judgement of ſuch juſtice ſhall make the production of any book, duplicate, voucher, or other paper neceſſary, which ſhall or ought to be in the hands, cuſtody, or power, of any pawnbroker, to ſummon ſuch pawnbroker before him, to attend with any book, duplicate, voucher, or paper, which he may have in his cuſtody or power relating to the ſame, which he is hereby required to produce before ſuch juſtice in the ſtate the ſame was made at the time the pawn or pledge was received, without any alteration, erafe ment, or obliteration whatever; and in caſe ſuch pawnbroker ſhall neglect or reſuſe to attend, or to produce the ſame, in its true and perfect ſtate, ſuch pawnbroker ſhall forfeit the ſum of ten pounds for the uſe of the poor of the pariſh where ſuch pawnbroker ſhall reſide, to be levied by diſtreſs and ſale of the offender's goods and chattels, by warrant under the hand and ſeal of ſuch juſtice ſo ſummoning the party as aforeſaid.

Pawnbroker neglecting to attend, &c. to forfeit 10l.

VIII. *And, for the better manifeſting by whom the trade and buſineſs of a pawnbroker ſhall hereafter be carried on*, be it further enacted by the authority aforeſaid, That from and after the ſaid ſecond day of *Auguſt*, all and every perſon or perſons who ſhall follow or carry on the trade or buſineſs of a pawnbroker, ſhall cauſe to be painted or written, in large legible characters, over the door of each ſhop or other place by him, her, or them reſpectively made uſe of for carrying on that buſineſs, the chriſtian and ſurname or names of the perſon or perſons ſo carrying on the ſaid trade or buſineſs, and the word *Pawnbroker* or *Pawnbrokers*, as the caſe may be, following the ſame, upon pain of forfeiting the ſum of ten pounds for every ſhop or place which ſhall be ſo made uſe of for the ſpace of one week, without having ſuch name or names, and the ſaid words, ſo painted or written as aforeſaid, to be recovered by diſtreſs and ſale of the offender's goods and chattels, by warrant under the hands and ſeals of any two juſtices of the peace acting within the reſpective county, riding, diſtrict, city, town, liberty, or place (which warrant ſuch juſtices are hereby authorized and required to grant,) upon the confeſſion of the party or parties, or upon the information of any credible witneſs or witneſſes upon oath; and the ſaid penalty, when the charges of recovering the ſame ſhall be deducted, ſhall be paid, one half to the informer, and the other half to the uſe of the poor of the pariſh in which the offence ſhall be committed; and in caſe ſufficient diſtreſs ſhall not be found, or ſuch penalty ſhall not be forthwith paid, it ſhall be lawful for ſuch juſtices, and they are hereby required, by warrant under their hands and ſeals, to cauſe the offender or offenders to be committed to the county goal or houſe of correction, there to remain, without bail or mainprize, for any time not exceeding three calendar months, nor leſs

Pawnbrokers to write their names and trades over their doors or ſhops.

less than fourteen days, unless the said penalty, and all reasonable charges, shall be sooner paid and satisfied.

Not to extend to persons who take only five per cent. interest.

IX. Provided always, That nothing in this act contained shall extend, or be construed to extend, to any person or persons whomsoever, who shall lend money to any person or persons whomsoever, upon pawn or pledge, at the rate of five pounds *per centum per annum* interest, without taking any further or greater profit for the loan or forbearance of such money lent, on any pretence whatever.

Pawnbrokers to hang up tables of rates in their shops.

X. And, for the better manifesting the different rates of profit, including interest and warehouse room, which the pawnbroker shall be authorized to receive, be it further enacted, That from and after the second day of *August*, one thousand seven hundred and eighty-four, all and every person who shall follow and carry on the trade or business of a pawnbroker, shall cause to be painted or printed, in large legible characters, the aforesaid rate of profit allowed by this act, and hang up the same in some conspicuous part of the shop wherein he, she, or they shall carry on such business.

Limitation of time for commencing actions against pawnbrokers.

XI. And be it further enacted, That no action at law, where tenders of principal and of interest thereof, and of charges for warehouse room, have been made by the pawner, at a less rate than is contained in the aforesaid table of profit, and refused by any pawnbroker, shall be maintainable against any pawnbroker, unless the same shall have been brought and commenced before the said second day of *August*; and that such tenders shall, in that case, be of no effect whatever, but the goods shall be redeemable, and may be redeemed under the terms inserted in the table of profit set forth in this act.

No fee to be taken by justices for business done in execution of this act.

XII. Provided always, and be it further enacted by the authority aforesaid, That no fee or gratuity whatsoever shall be had, taken, or received, for any summons or warrant, or other proceeding whatever, granted or made by any justice or justices of the peace, in pursuance of this act.

General issue.

XIII. And be it further enacted by the authority aforesaid, That if any person or persons shall at any time or times be sued, molested, or prosecuted for any thing by him, her, or them done or executed in pursuance of this act, or of any clause, matter, or thing, herein contained, such person or persons may plead the general issue, and give the special matter in evidence for his, her, or their defence; and if upon the trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs become nonsuited, then such defendant or defendants shall have double costs awarded to him, her, or them, against such plaintiff or plaintiffs.

Double costs.

Publick act.

XIV. And be it further enacted, That this act shall be deemed and taken to be a publick act; and shall be judicially notice of as such, without the same being specially pleaded.

Continuance of this act.

XV. Provided always, and be it enacted, That this act shall continue and be in force, from the day of passing thereof, for one year, and till the end of the next session of parliament.

C A P. XLIII.

An act for granting to his Majesty certain duties on certificates issued with respect to the killing of game.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, being desirous to raise the necessary supplies which we have granted to your Majesty in this session of parliament, have voluntarily resolved to give and grant unto your Majesty the several new rates and duties herein-after expressed; and to that end and purpose do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of *October*, one thousand seven hundred and eighty-four, there shall be raised, levied, collected, and paid, throughout the kingdom of *Great Britain*, unto and for the use of his Majesty, his heirs and successors, the several rates and duties following; (that is to say,)

That every person in *Great Britain*, qualified in respect to property to kill game, shall, previous to their shooting at, killing, or destroying any game, deliver in a paper or account in writing, containing the name and place of abode of such person, if in *England*, with the clerk of the peace of the county, and if in *Scotland*, with the sheriff, or steward clerk of the county where such person shall reside, and annually take out a certificate thereof:

That upon every piece of vellum or parchment, or sheet or piece of paper, upon which any certificate issued to any such person shall be ingrossed, written, or printed, there shall be charged a stamp-duty of two pounds, two shillings:

That every deputation or appointment of a gamekeeper, granted to any person by any lord or lady of a manor in *England*, shall be registered with the clerk of the peace of the county; and every such deputation, by any proprietor of land in *Scotland*, shall be registered in the sheriff or steward court books of the county in which the said manor or lands shall be; and the gamekeeper so appointed shall annually take out a certificate thereof:

That upon every piece of vellum or parchment, or sheet or piece of paper, upon which any certificate issued to any person under any deputation or appointment of gamekeeper shall be engrossed, written, or printed, there shall be charged a stamp-duty of ten shillings and sixpence.

From Oct 1, 1784, the following duties shall be paid to his Majesty; videlicet.

Every person in Great Britain, qualified to kill game, shall deliver in an account of his name and place of abode, to the clerk of the peace, &c. and annually take out a certificate thereof, for which he shall pay a stamp-duty of 2 l. 2 s.

Every deputation of a gamekeeper, by a lord or lady of a manor, shall be registered with the clerk of the peace, &c. and the gamekeeper shall annually take out a certificate thereof, for which he shall pay 10 s.

II. And 6d.

The duty to be under the management of the commissioners of the stamp-duties.

II. And be it further enacted by the authority aforesaid, That, for the better and more effectual levying, collecting, and paying the said duty herein-before granted, the same shall be under the government, care, and management of the commissioners for the time being appointed to manage the duties charged on stamped vellum, parchment, and paper; who, or the major part of them, are hereby required and impowered to employ the necessary officers under them for that purpose, to allow such salaries and incidental charges as shall be necessary, and to cause such new stamps to be provided to denote the said duty as shall be requisite in that behalf, and to repair, renew, and alter the same from time to time as there shall be occasion, and do all other things necessary to be done for putting this act in execution with relation to the said duties herein-before granted, in the like and in as full and ample a manner as they, or the major part of them, are authorized to put in execution any former law concerning stamped vellum, parchment, and paper.

Every qualified person who shall deliver into the office of the clerk of the peace, &c. an account of his name, and place of abode; and every gamekeeper who shall register his deputation, mentioning the name of the manor, &c. shall be annually intitled to a certificate thereon.

Form of certificate.

III. And be it further enacted, That, from and after the passing of this act, every person, qualified as aforesaid, who shall deliver into the office of the clerk of the peace, or his deputy, for the county, division, riding, or place, or if in Scotland, with the sheriff or steward clerk of the county, division, shire, stewartry, or place where he shall reside, a paper or account in writing, containing the name and place of abode of such person; and every gamekeeper to whom any deputation shall be granted as before; who shall register the same, mentioning the name of the manor or lands, and the person granting the same, and the date thereof, and who shall respectively require a certificate thereon from such clerk of the peace, or his deputy, or such sheriff or steward clerk, shall be annually intitled thereto; and such clerk of the peace, or his deputy, and such sheriff or steward clerk, shall thereupon issue a certificate, stamped as herein-before is directed, to the effect or form following; that is to say,

I A. B. clerk of the peace for the county of C. (or as the case may happen to be,) deputy clerk of the peace; or, if in Scotland, I. A. B. sheriff or steward clerk of the county of C. do hereby declare, That E. F. hath this day delivered into my office a paper, writing or account, containing his name and place of abode, (or, as the case may happen to be,) hath this day registered a deputation, whereby he is appointed a gamekeeper by _____ for the manor or lands of _____ which I do hereby certify, in pursuance of an act of parliament, passed in the twenty-fourth year of the reign of King George the third: as witness my hand, this _____ day of _____

Clerk of the peace, &c. to sign and deliver tickets to such persons requiring the same:

IV. And be it further enacted, That the said clerk of the peace, or his deputy, or the said sheriff or steward clerk, after he shall have signed such certificate, shall forthwith issue the same, stamped as herein-before is directed, to the person or persons so delivering in such paper, writing, or account, or registering

giving such deputation as aforesaid, and respectively requiring the same; and shall, previous to the delivery thereof, be intitled to demand and receive, of and from such person, the sum of one shilling for his own trouble in that behalf; and in case any such clerk of the peace, or his deputy, or any sheriff or steward clerk, shall neglect or refuse to issue to such person or persons as aforesaid, so delivering in such paper, writing, or account, or registering such deputation as aforesaid, a certificate properly marked and stamped, as herein-before is directed, every such clerk of the peace, or sheriff or steward clerk, shall, for every offence forfeit and pay the sum of fifty pounds, and moreover be liable to pay to his Majesty, his heirs and successors, the duty payable on such certificate.

Defaulters
herein shall
forfeit 50l. for
each offence.

V. And be it further enacted, That every certificate, granted by the clerk of the peace, or his deputy, or by the sheriff or steward clerk, pursuant to this act, shall, if the same be required by any person or persons before the first day of *October*, one thousand seven hundred and eighty-four, bear date on the day of the month on which the same shall be issued, and shall endure and remain in force until the first day of *July* next following, and no longer; and that no certificate shall issue in pursuance of this act, between the first day of *October*, one thousand seven hundred and eighty-four, and the first day of *March*, one thousand seven hundred and eighty-five: and every such certificate which shall issue after the said first day of *March*, one thousand seven hundred and eighty-five, shall be issued between the first day of *March* and the first day of *July*, in each year, and shall bear date on the day of the month on which the same shall be issued, and shall endure and remain in force for the space of twelve calendar months, commencing from the date of such certificate, and no longer; and if any clerk of the peace, or his deputy, or any sheriff or steward clerk, shall issue any certificate to any person otherwise than above directed, he shall forfeit and pay the sum of fifty pounds.

Certificates
when to be
dated and
issued.

Clerk of the
peace, &c.
who shall issue
any certificate
contrary to
this act, shall
forfeit 50l.

VI. Provided always, That nothing in this act contained shall extend to prevent any clerk of the peace, or his deputy, or any sheriff or steward clerk, from issuing his certificate to any gamekeeper first appointed in any year after the first day of *July* in that year; nor to any person who hath been beyond the seas, and hath or shall have, in any year, first arrived or come into this kingdom at any time after the first day of *July* in such year, who respectively may be desirous of obtaining such certificate as aforesaid; but in every such case the cause shall be specified, either in the body, or at the foot of such certificate herein-before, directed to be granted; nor to prevent any clerk of the peace, or his deputy, nor any sheriff or steward clerk, within their respective counties, to grant any such certificate, as aforesaid, to any person or persons at any time requiring the same, such certificate bearing date on the day on which it issued, and being stamped or marked with double the rates and duties herein-before granted upon every such certificate, and to

Certain cases
in which the
clerk of the
peace, &c.
may issue cer-
tificates after
July 1.

be

be in force till the first day of *July* next following the date of such certificate, and no longer.

VII. And be it further enacted by the authority aforesaid, That, from and after the first day of *October*, one thousand seven hundred and eighty-four, every person qualified as aforesaid, who shall shoot at, kill, take, or destroy, any pheasant, partridge, heath fowl, commonly called *Black Game*, or any grouse, commonly called *Red Game*, or any other game, or who shall kill, take, or destroy, any hare, with any greyhound, hound, pointer, spaniel, setting dog, or other dog, without having obtained such certificate, in such manner as herein-before is directed, shall forfeit and pay the sum of fifty pounds, to be recovered and applied as herein-after is directed.

Qualified persons who, after Oct. 1, 1784, shall shoot at, or kill any game, without a certificate, shall forfeit 50*l*.

Not to extend to the royal family.

VIII. Provided always, and be it further enacted, That nothing herein contained shall make it necessary for any of the royal family, or persons appointed by them to shoot at, kill, take, or destroy any game, within their chases, parks, warrens, or royalties, to have the certificate required by this act.

Clerks of the peace, &c. to transmit annually to the stamp office correct lists of certificates granted by them;

IX. And be it further enacted, That the clerks of the peace, or their deputies, or the sheriff or steward clerks in their respective counties, shall, on or before the first day of *November*, one thousand seven hundred and eighty-four, and in every subsequent year, on or before the twelfth day of *August* in each such year, make out and transmit to the head office of stamps in *London*, correct lists, in alphabetical order, of the certificates so granted by them, distinguishing the duties paid on each respective certificate so issued; and, on the delivery thereof, the receiver general of the stamp-duties shall pay to such clerk of the peace, or his deputy, or to such sheriff or steward clerk, for the making out and writing every such list, after the rate of one farthing for the name of every such person to whom such certificates shall have been granted, and which shall be inserted in such list; and in case any clerk of the peace, or his deputy, or any sheriff or steward clerk, shall neglect or refuse to make out such lists as aforesaid, or shall not insert in such list a full, true, and perfect account, as herein-before directed, of all the persons the same ought to contain, then, and in every such case, every such clerk of the peace, or his deputy, and sheriff or steward clerk so offending, shall, for every such offence, forfeit and pay the sum of twenty pounds.

on penalty of 20*l*.

Lists to be kept at the office, and may be inspected.

X. And be it further enacted by the authority aforesaid, That the several lists, upon such transmission thereof as aforesaid, shall be deposited and kept at the said head office of stamps in *London*, and shall and may, at all reasonable times, on payment of one shilling each search, be resorted to and inspected by any person whatsoever.

In case of any new appointment of a gamekeeper, &c. the former certificate to be void.

XI. And whereas deputations or appointments of gamekeepers, granted as before, may be revoked; be it therefore enacted, That if any lord or lady of a manor in *England*, or proprietor of land in *Scotland*, shall make any new appointment of a gamekeeper for any manor or lands, in the room of the person already appointed,

pointed, and shall register such deputation with the clerk of the peace, or his deputy, or sheriff or steward clerk of the county in which the manor or lands shall be situate, and shall obtain a new certificate thereon, the first certificate granted shall be, and the same is hereby declared to be, null and void; and the person acting under the same, after notice to him given of such new and other certificate, shall be liable to the penalties prescribed by the game laws now in being, made for the preservation of the game, and as are directed with respect to persons not qualified to kill game.

XII. And, in order to prevent the evading the payment of the duties hereby granted upon certificates as aforesaid, and to compel the production thereof to persons authorized to inspect the same; be it therefore enacted, That if any person or persons qualified, or having a deputation as aforesaid, shall be found in the pursuit of any game with a gun, dog, or net, or other engine for the destruction of game, or the taking or killing thereof, and shall be required to shew such certificate by the lord or lady of the manor, or proprietor of the land, whereon such person shall be using such gun, dog, or net, or other engine for the destruction of game, or by any gamekeeper appointed as before, or by any other person having obtained such certificate from the clerk of the peace, or his deputy as aforesaid, or by any officer of the stamps, properly authorized by the commissioners for that purpose, such person shall produce such certificate; and if such person shall refuse, upon the production of the certificate of the person requiring the same, to produce and shew the certificate granted to him for the like purpose, or, in case of not having such certificate to produce shall refuse to tell his christian and surname, and the place of his residence, and the name of the county where his certificate was issued, or shall give in any false or fictitious name, such person so offending shall forfeit and pay the sum of fifty pounds.

Any person in pursuit of game, who shall refuse to produce his certificate when required by any authorized person to do,

or to tell his name; and place of abode, &c. shall forfeit 50l.

XIII. And be it further enacted, That the certificate hereby directed to be issued by the clerks of the peace, or their deputies, in the respective counties in England, or by the sheriff or steward clerks of the counties in Scotland, shall not authorize or enable any person to shoot at, kill, take, or destroy any game, at any time or times prohibited by any law now in being, nor to give any person any right to shoot at, kill, take, or destroy, any game, unless such person shall be duly qualified, under and by virtue of the laws now in being, made for the preservation of the game.

Certificates not to authorize any person to kill game at any time prohibited by law, &c.

XIV. And, in order to prevent persons qualified in their own rights procuring deputations from any lord or lady of a manor, or proprietor of land, with an intent to evade the duty hereby imposed on certificates issued to persons so qualified; be it enacted, That any certificate, obtained under any deputation, shall not be pleaded or given in evidence, where any person shall shoot at, kill, take or destroy any game, out of the precincts or limits of the manor or lands for which such deputation was given.

Certificates obtained under deputations not to be given in evidence for killing game out of the manor, &c.

Claufe relative to thofe counties that have no clerks of the peace.

XV. And whereas there are feveral cities and towns that are counties of themfelves, and have no clerks of the peace to iflue the certificates herein-before directed; be it therefore enacted, That every perfon refiding in fuch cities and towns that are counties, fhall and may deliver in the paper, writing, or account, herein-before directed, to the clerk of the peace, or his deputy, of the county, divifion, riding, or place next adjoining, who fhall iflue his certificate to the perfon applying for the fame, as is herein-before directed, in the fame manner as if the perfon fo requiring fuch certificate refided in the county of fuch clerk of the peace; and upon neglect or refusal to iflue fuch certificate as aforefaid, fuch clerk of the peace fhall be liable to the fame penalties as if he had refused or neglected to iflue fuch certificate to any perfon applying for the fame, refident in the county of fuch clerk of the peace.

Persons counterfeiting stamps to fuf-fer death as felons.

XVI. And be it further enacted by the authority aforefaid, That if any perfon fhall counterfeit or forge, or procure to be counterfeited or forged, any feal, ftamp, or mark, directed or allowed to be ufed by this act, for the purpofe of denoting the duties by this act granted, or fhall counterfeit or refemble the impreffion of the fame, with an intent to defraud his Majefty, his heirs and fucceffors, of any of the faid duties, or fhall privately or fraudulently ufe any feal, ftamp, or mark, directed or allowed to be ufed by this act, with intent to defraud his Majefty, his heirs and fucceffors, of any of the faid duties, every perfon fo offending, and being thereof convicted, fhall be adjudged a felon, and fhall fuffer death as in cafes of felony, without benefit of clergy.

Provisions of former acts relating to ftamp-duties, to be in force in executing this act.

XVII. And be it further enacted by the authority aforefaid, That all powers, provifions, articles, claufes, and all other matters and things prefcribed or appointed by any former act or acts of parliament relating to the ftamp-duties on vellum, parchment, and paper, fhall be in full force and effect with relation to the rates and duties hereby impofed, and fhall be applied and put in execution for the raifing, levying, collecting, and fecuring, the faid new rates and duties hereby impofed, according to the true intent and meaning of this act, as fully, to all intents and purpofes, as if the fame had feverally and refpectively been hereby enacted with relation to the faid new rates and duties hereby impofed.

Penalties how to be recovered and applied.

XVIII. And be it further enacted by the authority aforefaid, That all pecuniary penalties impofed on any perfon or perfons for offences committed againft this act, fhall and may be fued for and recovered in any of his Majefty's courts at *Weftminfter*, for offences committed in that part of *Great Britain* called *England*, the dominion of *Wales*, or the town of *Berwick upon Tweed*, and in his Majefty's court of fefions, court of jufticiary, or court of exchequer, in *Scotland*, for offences committed in that part of *Great Britain* called *Scotland*, by action of debt, bill, plaint, or information; wherein no *coft*, protection, privilege, wager of law, or more than one imparlance, fhall be allowed; and wherein the plaintiff, if he or ſhe fhall recover

penalty or penalties, ſhall recover the ſame for his or her own uſe, with double coſts of ſuit.

XIX. Provided always, That from and after the ſaid firſt day of *October*, one thouſand ſeven hundred and eighty-four, in all caſes where the pecuniary penalty by this act impoſed, doth not exceed the ſum of twenty pounds, it ſhall and may be lawful for any one or more juſtice or juſtices of the peace of the county, riding, thire, ſtewartry, diviſion, city, liberty, or place, wherein any offence or offences againſt this act ſhall be committed, and ſuch juſtice or juſtices is and are hereby required, upon information or complaint to him or them made, to ſummon the party or parties accuſed, and alſo the witneſſes on either ſide, to appear before him or them; and upon the appearance of the party or parties accuſed, or in default of his, her, or their appearance, according to ſuch ſummons, to proceed to hear and determine the matter in a ſummary way, and upon due proof made thereof, either by the voluntary confeſſion of the party or parties accuſed, or by the oath of one or more credible witneſs or witneſſes, to give judgement or ſentence for the penalty or forfeiture, according as in and by this act is directed; and to award and iſſue out his warrants, under his hand and ſeal, for the levying any pecuniary penalties and forfeitures ſo adjudged on the goods of the offender, and to cauſe ſale to be made thereof, in caſe they ſhall not be redeemed within ſix days, rendering to the party the overplus, if any; and where the goods of ſuch offender cannot be found ſufficient to answer the penalty, to commit ſuch offender to priſon, there to remain for the ſpace of ſix months, unleſs ſuch penalty ſhall be ſooner paid and ſatisfied; and if ſuch perſon or perſons ſhall find himſelf or themſelves aggrieved by the judgement of any ſuch juſtice, then he or they ſhall and may, upon giving ſecurity to the amount of the value of ſuch penalty and forfeiture, together with ſuch coſts as ſhall be awarded in caſe ſuch judgement ſhall be affirmed, appeal to the juſtices of the peace at the next general quarter ſeſſions for the county, riding, or place, who are hereby impowered to ſummon and examine witneſſes upon oath, and finally to hear and determine the ſame; and in caſe the judgement of ſuch juſtice ſhall be affirmed, it ſhall be lawful for ſuch juſtices to award the perſon or perſons to pay coſts occaſioned by ſuch appeal, as to themſelves ſhall ſeem meet.

Any juſtice of the county, in all offences againſt this act where the penalty doth not exceed 20l. may ſummon the parties before him, and determine in a ſummary way.

Penalties may be levied by diſtreſs,

or the offender committed.

Perſons aggrieved may appeal to the quarter ſeſſions, upon giving proper ſecurity.

XX. And be it further enacted, That if any perſon or perſons ſhall be ſummoned as a witneſs or witneſſes to give evidence before ſuch juſtice or juſtices of the peace, touching any of the matters relative to this act, either on the part of the proſecutor, or of the perſon or perſons accuſed, and ſhall neglect or reſuſe to appear at the time and place to be for that purpoſe appointed, without a reaſonable excuſe for ſuch his, her, or their neglect or reſuſal, to be allowed of by ſuch juſtice or juſtices of the peace before whom the proſecution ſhall be depending; that then every ſuch perſon ſhall forfeit, for every ſuch

Perſons ſummoned as witneſſes, and not appearing to forfeit 20l.

offence, the ſum of ten pounds, to be levied and paid in ſuch manner, and by ſuch means, as is herein-before directed as to other penalties.

How juſtices
to proceed for
conviction of
offenders.

XXI. And be it further enacted by the authority aforeſaid, That the juſtice or juſtices of the peace before whom any offender ſhall be convicted as aforeſaid, ſhall cauſe the ſaid conviction to be made out in the manner and form following, or in any other form of words to the ſame effect, *mutatis mutandis*; that is to ſay,

Form of con-
viction.

BE it remembered, That on the _____ day of _____ in the year of our Lord _____ at _____ in the county of _____ A. B. came before me C. D. eſquire, one of his Maſteſty's juſtices of the peace for the ſaid county, reſiding near the place where the offence was committed, and informed me that E. F. of _____ on the _____ day of _____ now laſt paſt, being a qualified perſon, or having a deputation to kill game, as the caſe may happen, did ſhoot at, kill, take, or deſtroy, (here ſet forth the fact for which the information was laid,) without having the certificate required by law for that purpoſe; whereupon the ſaid E. F. after being duly ſummoned to answer the ſaid charge, appeared before me, and having heard the charge contained in the ſaid information, declared he was not guilty of the ſaid offence, (or as the may happen to be,) did not appear before me purſuant to the ſaid ſummons, (or did neglect and reſuſe to make any defence againſt the ſaid charge, but the ſame being fully proved upon the oath of G. H. a credible witneſs, (or as the caſe may happen to be,) acknowledged and voluntarily confeſſed the ſame to be true; and it manifeſtly appears to me, that he the ſaid E. F. is guilty of the offence charged upon him in the ſaid information; I do therefore hereby convict him of the offence aforeſaid, and do declare and adjudge, that he the ſaid E. F. hath forfeited the ſum of _____ of lawful money of Great Britain, for the offences aforeſaid, to be diſtributed as the law directs, according to the form of the ſtatute in that caſe made and provided.

Given under my hand and ſeal, the _____ day of _____

Juſtice may
mitigate pe-
nalties.

XXII. Provided nevertheless, That it ſhall and may be lawful to and for the ſaid juſtice, where he ſhall ſee cauſe, to mitigate and leſſen any ſuch penalties as he ſhall think fit, reaſonable coſts and charges of the officers and informers, as well in making the diſcovery as in proſecuting the ſame, being always allowed, over and above ſuch mitigation, and ſo as ſuch mitigation do not reduce the penalties to leſs than a moiety of the penalties incurred, over and above the ſaid coſts and charges; any thing contained herein to the contrary notwithstanding.

XXIII. And be it further enacted by the authority aforeſaid,

That the feveral duties herein-before granted fhall be paid from time to time into the hands of the receiver general for the time being of the duties on ftamped vellum, parchment, and paper, who fhall keep a feparate and diftinct account of the feveral rates and duties, and pay the fame (the neceffary charges of raifing, paying, and accounting for the fame, being deducted) into the receipt of the exchequer, at fuch time, and in fuch manner, as the duties charged on ftamped vellum, parchment, and paper, are directed to be paid; and that in the office of the auditor of the fame receipt fhall be provided and kept a book or books, in which all the monies arifing from the faid feveral rates and duties, and paid into the faid receipt as aforefaid, fhall be entered, feparate and apart from all other monies paid or payable to his Majefty, his heirs or fucceffors, upon any account whatfoever; and the faid money fo paid into the faid receipt of exchequer as aforefaid, fhall be a fund for the payment of the feveral annuities, and all fuch other charges and expences as are directed to be paid and payable, purfuant to an act of this prefent feflion of parliament, intituled, *An act for raifing a certain fum of money by way of annuities, and for eftablifhing a lottery.*

Duties to be paid to the receiver-general of the ftamp-duties, and by him paid into the exchequer.

Auditor to provide a book for entering the duties fe-
parate from all others.

Application thereof.

XXIV. And be it further enacted by the authority aforefaid, That if any perfon or perfons, fhall, at any time or times, be fued, molefted, or profecuted, for any thing by him or them done or executed in purfuant of this act, or of any claufe, matter, or thing herein contained, fuch perfon or perfons fhall or may plead the general iflue, and give the fpecial matter in evidence for his or their defence; and if upon the trial a verdict fhall pafs for the defendant or defendants, or the plaintiff or plaintiffs become nonfuit, then fuch defendant or defendants fhall have treble cofts awarded to him or them againft fuch plaintiff or plaintiffs.

General iflue.

Treble cofts;

C A P. XLIV.

An act for granting to his Majefty a certain fum of money out of the finking fund; and for applying certain monies therein mentioned for the fervice of the year one thoufand feven hundred and eighty-four; for appropriating the monies arifing by the duties on malt, mum, cyder, and perry; and alfo by a land tax, granted to his Majefty by two acts made in the laft feflion of parliament; and for further appropriating the fupplies granted in this feflion of parliament.

£300,000 l. granted out of the finking fund, for the fervice of the current year; to be iflued by the treasury accordingly. Treasury impowered to raife the fum of £300,000 l. or any part thereof, by loans or exchequer bills, on the credit of the finking fund. All perfons who fhall lend any money upon the credit of this act to have a tally of loan, with orders for repayment of the money, with intereft. Orders to be regiftered in courfe. No undue preference to be given in payment. No fee to be taken, on forfeiture of treble damages, with full cofts. Penalty of undue preference in point of regiftry or payment fubject to action of debt, or on the cafe, with cofts and forfeiture of office. Auditor, &c. neglecting his duty, liable to damages, &c. the like to be recovered at Weftminfter. No undue preference in the regiftring, where orders are brought the fame day; nor if fubfequent orders are paid before others not brought in courfe, fo as money

ney be referred for the preceding orders. Power of assignment, and method of transferring of orders by indorsement, entered in the auditor's office (without fee). If it shall be judged more advisable, the treasury may raise the said sum by exchequer bills instead of loans; and the bills in such case to be made in the manner prescribed by the malt act of last session. All advantages and penalties in the said act of last session, relating to loans or exchequer bills thereby authorized to be made forth, extended to this act. The said exchequer bills, interest, and charges, are to be paid out of the sinking fund. Bank authorized to lend to his Majesty the sum of 800,000*l.*; notwithstanding an act of 5 and 6 Gul. & Mariae. The sum of 105,818*l.* 5*s.* 11*d.* 1*q.* remaining in the exchequer; shall be applied towards making good the supply. 441,702*l.* 13*s.* 9*d.* 2*q.* out of savings of army services, shall be applied towards defraying extraordinary expenses of land forces, &c. from Feb. 1, 1783, to Dec. 24, 1783. The monies arising by the malt act, land tax, lottery act, loans, (1,500,000*l.*) further loans, (1,000,000*l.*) 105,818*l.* 5*s.* 11*d.* 1*q.* remaining in the exchequer; and 800,000*l.* by this act granted out of the surplusses of the sinking fund; shall be applied (with the residue of the monies arising from the sale of French prizes, &c.) to the uses following: 3,153,869*l.* 6*d.* towards naval services; 181,141*l.* 6*s.* 4*d.* for the charges of the office of ordnance, not provided for, in 1783; 429,008*l.* 2*s.* 7*d.* for the charges of the office of ordnance, for 1784; 3,716,370*l.* 18*s.* 7*d.* towards maintaining the land forces, &c.; of which, 636,190*l.* 9*s.* 1*d.* for defraying the charge of 17,483 effective men, including 2,030 invalids, and also officers, agency, &c.; 284,211*l.* 2*s.* 9*d.* for forces in plantations, &c. for 1784; 8,321*l.* 7*s.* 9*d.* for advance pay to dragoons and foot in the East Indies; 6,080*l.* 6*s.* 6*d.* for general and general staff officers in Great Britain; 9,371*l.* 17*s.* 9*d.* for two Hanoverian battalions of foot; 67,551*l.* 14*s.* 1*d.* to the paymaster general, secretary at war, &c. and their clerks, &c.; 173,001*l.* 15*s.* 5*d.* for the pensioners of Chelsea Hospital, &c.; 75,116*l.* 17*s.* 6*d.* for reduced officers of land forces, &c.; further sum of 130,300*l.* for ditto; 563*l.* 2*s.* 10*d.* for officers and private gentlemen of horse guards reduced, &c.; 54,633*l.* 10*s.* 6*d.* for commissioned officers of British American forces; 3,544*l.* 14*s.* 3*d.* for officers late in the service of the states general; 17,000*l.* 4*s.* for widows of commissioned officers; 686*l.* for widows of commissioned officers in British American forces; 4,461*l.* 11*s.* for two regiments of foot sent from Ireland to Gibraltar; 10,524*l.* 17*s.* 4*d.* for additionalists to three regiments of foot; 9,821*l.* 15*s.* 6*d.* for several corps to their being disbanded; 23,419*l.* 0*s.* 10*d.* 2*q.* for five battalions of Hanoverian infantry, for 183 days; 6,291*l.* 7*s.* for general and staff officers in North America, for 1784; 110,369*l.* 11*s.* 7*d.* for subsidies to the Landgrave of Hesse Cassel, &c. for 1784; 60,035*l.* 8*s.* 4*d.* 2*q.* for 6,463 Hessians, from May 28, to Dec. 24, 1784; 2,366*l.* 13*s.* to make good a deficiency in the duke of Brunswick's subsidy, for 1783; 77,833*l.* 8*s.* 7*d.* 1*q.* for several corps in 1784; 15,626*l.* 4*s.* 11*d.* for three regiments of foot, for 183 days; 1,919,289*l.* 6*s.* 11*d.* 2*q.* for extraordinaries, &c. of land forces, from Feb. 1, 1783, to Dec. 24, following; 60,000*l.* to discharge the civil list debt; 1,000,000*l.* for paying off the exchequer bills made out by virtue of an act 23 Geo. 3.; 1,500,000*l.* for paying off bills made out by virtue of another act of the same year; 36,841*l.* 1*s.* 6*d.* issued in pursuance of addresses of the house of commons; 25,000*l.* towards carrying on the buildings at Somerset House; 5,539*l.* 8*s.* for supporting the civil establishment of Nova Scotia; 3,150*l.* for the island of St. John; 3,950*l.* for East Florida; 3,100*l.* for New Brunswick in America; 1,750*l.* for Cape Breton; 7,850*l.* to perfect the purchase of the soil of the Bahama Islands, &c.; 500*l.* for the chief justice of Somers Islands; 23,000*l.* for maintaining forts on the coast of Africa; 9,000*l.* for the commissioners of publick accounts; 7,000*l.* to make good the like sum paid to the secretaries of the said commissioners, &c.; 4,000*l.* for assisting the Levant company; 3,000*l.* for the British Museum; 4,830*l.* 7*s.* 6*d.* on account of new roads, &c. in the Highlands of Scotland; 7,891*l.* 13*s.* 8*d.* to make compensation to the Rev. Thomas Weekes Dalby, for detaining the ship Hope, &c. belonging to Charles Weekes, on account of

the victualling office, in 1743 and 1744; 75,750l. 13s. 6d. for relief of American civil officers, &c.; 11,816l. 15s. 9d. 1q. to make good the like ſum iſſued to diſcharge bills drawn on the treaſury by the governor of Nova Scotia; 3,587l. 9s. 6d. to be paid to Joſeph White, eſq; for defraying expences of ſupporting the bill againſt ſir Thomas Rumbold, bart. in laſt ſeſſion; 950l. 0s. 9d. to be paid to George White, eſq; for defraying expences attending committees inquiring into the cauſes of the war in the Carnatic, and the condition of the Britiſh poſſeſſions there, in 1781 and 1782; 1,779l. 13s. to be paid to Mr. Evatt, for expences attending ſelect committees in four ſeſſions, in regard to the ſtate of the adminiſtration of juſtice in the provinces of Bengal, Bahar, and Oriſſa; 116l. 16s. 6d. to be paid to Mr. White, jun. for expences attending ſelect committees during the laſt and preſent ſeſſion, on the report of the directors of the Eaſt India company to the houſe of commons, dated January 23, 1784, and their further report preſented February 16, laſt; 220l. to be paid to Mr. Benſon, for his expences and trouble attending a committee, to enquire into the illicit practices uſed in defrauding the revenue, and into the moſt effectual methods of preventing the ſame; 12,212l. 11s. 6d. iſſued to Duncan Campbell, for maintaining convicts, &c. on the river Thames; 23,556l. 2s. 7d. to make good the deficiency of a fund for paying annuities granted by an act 31 Geo. 2.; 168,019l. 2s. 9d. 3q. to make good the deficiency of a fund for paying annuities granted by an act 18 Geo. 3.; 73,339l. 19s. 8d. to make good the deficiency of a fund for paying annuities granted by an act 19 Geo. 3.; 207,909l. 10s. 3d. to make good the deficiency of a fund for paying annuities granted by an act 20 Geo. 3.; 435,888l. 19s. 2d. to make good the deficiency of a fund for paying annuities granted by an act 22 Geo. 3.; 24,943l. 5s. 0d. 2q. to make good the deficiency of a fund for paying annuities granted by an act 23 Geo. 3.; 36,814l. 15s. 5d. 3q. to make good the deficiency of the grants for the year 1783. The ſaid aids to be applied only to the uſes before mentioned. Rules to be obſerved in the application of the half pay: none to receive any thing who was under ſixteen years of age, when the regiment was reduced, nor unleſs he did actual duty, or having any other place or employment of profit, civil or military, under his Maſteſty; nor any chaplain of any garrifon or regiment, who has any eccleſiaſtical benefice in Great Britain or Ireland; or any having reſigned his commiſſion, and had no commiſſion ſince; nor any except thoſe intitled as reduced officers; nor any officers of the five regiments of dragoons, or eight regiments of foot, lately diſbanded in Ireland, except thoſe taken off half-pay eſtabliſhment in Great Britain. By an act 23 Geo. 3, a ſum not exceeding 77,985l. 5s. 10d. and a ſum not exceeding 47,500l. were appropriated to be paid to reduced officers. Overplus monies, above ſatisfying ſaid officers, to be diſpoſed of to officers who were maimed, &c. in the late wars, or to officers widows and children, as his Maſteſty ſhall direct.

C A P. XLV.

An act to extend the powers of an act, made in the twenty-third year of his preſent Maſteſty, for giving his Maſteſty certain powers for the better carrying on trade and commerce between the ſubjects of his Maſteſty's dominions and the inhabitants of the United States of America, to the trade and commerce of this kingdom with the Britiſh colonies and plantations in America, with reſpect to certain articles therein mentioned.

WHEREAS by an act, made in the twenty-third year of the reign of his preſent Maſteſty, intituled, An act for preventing certain inſtruments from being required from ſhips belonging to the United States of America; and to give to his Maſteſty, for a limited time, certain powers for the better carrying on trade

trade and commerce between the subjects of his Majesty's dominions, and the inhabitants of the said United States; it is, among other things, enacted, That it shall and may be lawful for his Majesty in council, by order or orders to be issued and published from time to time, to give such directions, and to make such regulations, with respect to duties, drawbacks, or otherwise, for carrying on the trade and commerce between the people and territories belonging to the crown of Great Britain, and the people and territories of the said United States, as to his Majesty in council shall appear most expedient and salutary: and whereas it is expedient, that the powers given to his Majesty by the said in part recited act, should be extended in like manner to the trade and intercourse between this kingdom and the British colonies and plantations in America, so far as the same may relate to iron, hemp, and sail-cloth, and other articles of the produce of any place bordering on the Baltick, which may be exported from this kingdom; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for his Majesty in council, by order or orders to be issued and published from time to time, to give such directions, and to make such regulations, with respect to duties, drawbacks, or otherwise, for carrying on the trade and commerce between this kingdom and the British colonies and plantations in America, so far as relates to iron, hemp, and sail-cloth, and other articles of the produce of any place bordering on the Baltick, which may be lawfully exported from this kingdom, as to his Majesty in council shall appear most expedient and salutary; any law, usage, or custom, to the contrary notwithstanding.

His Majesty in council impowered to make regulations for carrying on trade with British America, relative to iron, hemp, sail-cloth, &c.

Continuance of this act.

II. Provided always, and be it enacted, That this act, and the powers and authorities hereby given to his Majesty, and all orders issued and published in consequence thereof, shall continue and be in force until the fifth day of April, one thousand seven hundred and eighty-five, and no longer.

C A P. XLVI.

An act to discontinue, for a limited time, the payment of the duties upon low wines and spirits for home consumption, and for granting and securing the due payment of other duties in lieu thereof; and for the better regulation of the making and vending British spirits, as well for home consumption as for exportation; and for destroying all home made and foreign spirits, after the condemnation thereof; and for vesting in his Majesty the duties of excise within the lands of Ferintosh, in the county of Inverness; and for discontinuing, for a limited time, certain imposts and duties upon rum and spirits imported from the West Indies.

Preamble.

WHEREAS, by several acts of parliament heretofore made, and now in force, sundry rates and duties were granted upon low wines and spirits made in Great Britain for home consumption: and

and whereas, in and by the ſaid acts for granting ſuch rates and duties, and by ſeveral other acts made for preventing frauds and abuſes in the collection and payment thereof, divers provisions and directions for or in relation to the managing, ſecuring, aſcertaining and collecting the ſaid rates and duties were made and enacted: and whereas great inconveniencies have ariſen from the mode of charging and collecting the ſaid rates and duties; and the powers, rules, and regulations, in and by the ſaid ſeveral acts made, provided, or contained, for the preventing of frauds and abuſes, have been found ineffectual: for remedy whereof, and in order to maintain your Maſteſty's revenues, and to ſecure a proper and ſufficient fund towards paying the ſeveral incumbrances on the ſaid rates and duties, we, your Maſteſty's moſt dutiful and loyal ſubjects, the commons of Great Britain, in parliament aſſembled, think it will be for the advantage of the publick to diſcontinue the payment of the ſaid rates and duties upon low wines and ſpirits, for a limited time, and in lieu thereof, to grant to your Maſteſty, for the ſame limited time, the ſeveral rates and duties herein-after mentioned; and alſo that further regulations ſhould be provided and enacted for the better collecting thereof; and do therefore moſt humbly beſeech your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, for and during the ſpace of two years, to be computed from the firſt day of November, one thouſand ſeven hundred and eighty-four, all the rates and duties granted and impoſed upon low wines and ſpirits for home conſumption, in and by any act or acts heretofore made, and now in force, ſhall be diſcontinued, ſave only and except the arrears which may at that time remain unpaid of the ſaid rates and duties; and that, in lieu and ſtead thereof, the ſeveral rates and duties hereafter mentioned, ſhall, for and during the ſaid term of two years, be ſubſtituted, charged, and paid; that is to ſay,

For every gallon of fermented wort or waſh, brewed or made for extracting ſpirits for home conſumption, from any malt, corn, grain, or tilts, or any mixture with the ſame, to be paid by the makers or diſtillers thereof, the ſum of five-pence:

For every gallon of cyder or perry, or other waſh, or liquor, made or brewed from any ſort or kind of *British* materials (except ſuch as are before mentioned), or from any mixture therewith, for extracting ſpirits for home conſumption, to be paid by the makers or diſtillers thereof, the ſum of four-pence:

For every gallon of fermented wort or waſh, made or brewed from melaffes or ſugar, or any mixture therewith, for extracting ſpirits for home conſumption, to be paid by the makers or diſtillers thereof, the ſum of ſeven-pence farthing:

And for every gallon of foreign reſufed wine, or foreign cyder, or waſh, prepared from foreign materials, (except melaffes

From Nov. 1, 1784, the duties on low wines and ſpirits for home conſumption, ſhall be diſcontinued for two years.

New duties inſtead thereof.

For every gallon of fermented waſh, brewed for extracting ſpirits for home conſumption, from malt, &c. 5d.: Cyder or perry brewed from *British* materials, 4d. per gallon:

Waſh made from melaffes or ſugar, 7d. 1q. per gallon:

Foreign reſufed wine, &c. and 10d. per gallon.

and sugar); or any mixture therewith, for extracting spirits for home consumption, to be paid by the makers or distillers thereof, the sum of ten-pence.

Penalty on removing or concealing wash, &c.

II. And be it further enacted, That no wort, wash, or tilts, in the possession of any distiller or maker of spirits, shall be removed or taken from his entered premises, or concealed; but all such wort, wash, and tilts, and also all low wines extracted therefrom, shall be severally used and distilled by such distiller; and when and so often as any wort, wash, tilts, or low wines, shall be removed, taken away, or concealed, contrary to the true intent and meaning of this act, such wort, wash, tilts, and low wines shall be seized, forfeited, and lost; and over and besides such forfeiture, such distiller, and the person or persons employed to remove, or who shall receive the same, shall be liable to the penalty of ten shillings for every gallon of wort, wash, tilts, or low wines, so removed, taken away, or concealed respectively.

Wash, &c. not to be removed from the vessel wherein it was fermented, until the officer has gauged it.

III. And be it further enacted, That no wort, wash, tilts, or other liquor, for the distilling of spirits for home consumption, shall be put in the still, or otherwise removed from the back or vessel wherein the same was or were fermented, until the same shall have been gauged, and the duties aforesaid rated thereon by the proper officer of excise; and if any distiller shall, contrary to the directions of this act, put into any still, or otherwise remove any such wort, wash, tilts, or other liquor, from the back or vessel wherein the same was or were so fermented, before the same shall have been gauged, and the duties rated thereon as aforesaid, such distiller shall, for every such offence, forfeit the sum of two hundred pounds, and shall also pay a double duty for all the wort, wash, tilts, and other liquor, so put into the still, or removed as aforesaid.

Penalty.

IV. And, to the intent that the officers of excise may be the better enabled to detect frauds or illicit practices of every kind and description; be it further enacted, That every officer of excise, having any still or stillhouse, or other place used for the purposes of making or distilling spirits for home consumption, under his charge or survey, shall keep exact accounts in his books (on pain of dismission, and being rendered incapable of serving any office under the crown) of all wort, wash, tilts, and other liquors; whereon the aforesaid duties are imposed by this act, and shall in his said books of account give unto the several and respective distillers or makers of spirits he shall so survey, a credit according to the following rates or proportions; that is to say,

Officers to keep an exact account of all wort, wash, &c. whereon the new duties are imposed.

For 100 gallons of wort, brewed from malt, corn, &c. the maker shall have credit for 20 gallons of spirits, or one to ten over hydrometer proof:

For every one hundred gallons of wort or wash, made or brewed from malt, corn, grain, or tilts, or any mixture with the same, the owner or distiller thereof shall have credit for twenty gallons of spirits, of the strength of one to ten over hydrometer proof:

For

For every one hundred gallons of cyder, perry, wash, or other liquor, made or brewed from any sort or kind of *British* materials, except malt, corn, grain, or tilts, or any mixture with the same, the owner or distiller thereof shall have credit for fifteen gallons of spirits, of the strength aforesaid :

For 100 gallons of cyder, &c. brewed from other *British* materials, 15 gallons of the strength aforesaid :

For every one hundred gallons of wort or wash, made or brewed from melasses or sugar, or any mixture therewith, the owner or distiller thereof shall have credit for twenty-two gallons of spirits, of the strength aforesaid :

For 100 gallons of wort, brewed from melasses, &c. 22 gallons as aforesaid :

And for every one hundred gallons of foreign refused wine or foreign cyder, or of wort or wash made or brewed from any foreign materials, (except melasses and sugar), or any mixture with the same, the owner or distiller thereof shall have credit for twenty gallons of spirits, of the strength aforesaid.

For 100 gallons of foreign refused wine, &c. 20 gallons of spirits as aforesaid.

V. And be it further enacted, That if, on casting up the stock of any distiller or maker of spirits for home consumption, such maker, not being also a rectifier, at the aforesaid strength of one to ten over hydrometer proof, the officer of excise shall find the quantity of spirits contained in such stock to exceed the quantity for which the distiller or maker thereof is intitled to such credit as aforesaid, after deducting and allowing for the quantity of spirits for which permits shall have been granted to such distiller or maker; then, and in every such case, the increase of stock shall be deemed and considered as having been made from wort, wash, tilts, or other liquor, not duly charged with the rates and duties granted by this act, and such increase shall be seised and forfeited.

If the officer shall find the quantity of spirits exceed the proportion above mentioned, such increase shall be seised.

VI. And be it further enacted; That the proper officer of excise shall gauge all wort, wash, and other liquor, after the same shall be put into the wash still, (whether for home consumption or exportation), and keep in his books true accounts of the still gauges of such wash, wort, and other liquor respectively.

Officer to gauge all wort, &c. after put into the still.

VII. And be it further enacted, That every distiller or maker of spirits for home consumption, whether he be a rectifier or not, shall, before he begin to draw off any low wines from the wash still, charge the same with the wort, wash, or other liquor, on which the duties aforesaid shall have been rated, in the proportion of not less than three parts in four of the whole quantity of liquor which such still, including the head, is capable of containing; and that every distiller or distillers for exportation, shall, before he, she, or they shall begin to draw off any low wines from their wash still, charge the same with wash, in the proportion of not less than four parts in five of the whole quantity of liquor which such wash still, including the head, is capable of containing; and that every wash still shall be worked off within the space of twenty hours, to be computed from the time of the officer's taking the gauge of such still; and that every distiller or maker of spirits who shall begin to draw off any low wines until the wash still shall have been so charged as aforesaid, or after having been so charged, shall not work the

Penalty on distillers who shall draw off any low wines until the wash still shall have been properly charged.

same

same off within the time hereby limited, shall, in either of such cases, forfeit and lose the sum of two hundred pounds.

If any distiller shall keep low wines more than 24 hours after running off from the wash still, he shall forfeit 10l. per hour.

VIII. And, for the better prevention of abuses, or of impediments to the officer in taking an account of the distillers's stock, be it further enacted, That all low wines whether made by distillers entered for home consumption or exportation shall, within the space of twelve hours after the same shall have been run off from the wash still, be pumped or put into the low wine still, and shall, within the space of the next twelve hours, be drawn off into spirits; and if any such low wines shall be kept by any distiller or maker thereof, more than twenty-four hours after the same shall have been run off from the wash still, every such distiller shall forfeit and pay the sum of ten pounds by the hour, for every hour beyond the time or space hereby limited, during which any of such low wines shall be kept or remain without being a second time distilled.

Directions relative to drawing off British spirits, &c.

IX. And be it further enacted, That every rectifier and compounder of *British* spirits shall, before he shall begin to draw off any *British* brandy, compounds, or other spirits, from his still, charge the same in the proportion of not less than three parts in four of the whole quantity of liquor which such still, including the head, is capable of containing; and that every such still shall be worked off within sixteen hours, to be computed from the time of the officers taking the gauge of the still; and every rectifier or compounder of spirits, who shall draw off any *British* brandy, compounds, or other spirits, from any still, until the same shall have been so charged, or shall not work off the same within the time hereby for that purpose limited, shall, in either of such cases, forfeit and lose the sum of one hundred pounds.

Clauserelative to permits for removal of British spirits for home consumption.

X. And be it further enacted, That all persons intitled to and demanding any permit for the removal of raw or unrectified *British* spirits, spirits of wine, compounds, or *British* brandy, for home consumption, shall, in the request note, specify the quantity of such spirituous liquors, and shall also describe to which of the afore-mentioned classes the liquor so intended to be removed shall belong, distinguishing raw and unrectified spirits made from corn, from raw and unrectified spirits made from melasses or sugar, or any other materials; and also specifying the contents of the several casks, vessels, and other packages containing the same, and by what mode of conveyance, whether by land carriage or water carriage, the same is intended to be sent; and no permit shall be granted on any request note not made conformable hereto; and all spirituous liquors which shall be removed under any false description shall be seized, lost, and forfeited.

Permits to correspond with the particulars of the request note.

XI. And be it further enacted, That every permit to be granted by any officer of excise for the removal of any *British* spirituous liquors for home consumption, shall be made to correspond, in respect to the particulars aforesaid, with the request note whereon the same shall be granted; and every such officer

is hereby required to make out and deliver unto the party calling for and intitled to such permit, two original parts or duplicates thereof, one of which shall be intitled *The Seller's Permit*, and the other *The Buyer's Permit*, in printed letters; and that the buyer's permit shall be sent and delivered with such spirituous liquors unto the buyer thereof, upon pain that such spirituous liquors shall (if the same is not seized in the transit for want of lawful permit) be forfeited to the buyer thereof, and the seller rendered incapable of recovering the value or price thereof in any court of law or equity; and also, that the seller shall, over and besides the loss of the said spirituous liquor, forfeit and lose double the value thereof, including the duties, and that the evidence of the buyer, or person receiving the said spirituous liquors, shall be admitted to prove that the same was delivered without a lawful permit.

Duplicates to be delivered by the officer.

XII. Provided always, That when any suit or action shall be commenced, or any information brought, wherein the delivery or non-delivery of any permit to the buyer of any *British* spirituous liquors shall become a question, it shall be sufficient for the seller to exhibit on proof the permit, intitled, *The Seller's Permit*, for the removal of such *British* spirituous liquors, and to prove that there hath been a suitable decrease in the seller's stock of the spirits mentioned in such permit; and, upon the making out such proof, the spirituous liquor in question shall be adjudged to have been sent out and delivered with a lawful permit according to the true intent and meaning of this act.

Disputes relative to the delivery of a permit to the buyer of *British* spirits, how to be determined.

XIII. Provided also, That no buyer of any such *British* spirituous liquors shall avail himself of any such forfeiture as aforesaid, unless such buyer shall, within fourteen days next after the delivery of the said goods, exhibit his complaint or information upon oath, before the commissioners of excise, or justices of the peace having jurisdiction, and forthwith prosecute the same with effect; and when any such buyer shall, before the delivery of such spirituous liquors, have actually paid for the same, and shall prosecute the seller, by information, for the recovery of the said penalty of double value, to a conviction for the offence aforesaid; then, and in such case, the said buyer shall and may have and maintain his action upon the case at the common law against such seller for the money so paid, as for so much money received by the defendant for the plaintiff's use; and, upon obtaining a verdict in such action, the plaintiff shall also recover his costs of suit.

Buyer not to avail himself of any such forfeiture, unless, within 14 days, he exhibit his complaint on oath, and prosecute the same.

XIV. And be it further enacted, That no distiller or maker of spirits shall sell or send out any spirits whatsoever, of a greater degree of strength, for home consumption, than that of one to ten over hydrometer proof; and no rectifier or compounder of spirits, whether he be a maker of spirits or not, shall sell or send out any compounds, *British* brandy, or other spirits, of a greater or higher degree of strength than that of one in ten under hydrometer proof; and if any such distiller, maker, rectifier,

Restrictions relative to the strength of *British* spirits.

fier,

fier, or compounder, shall sell or send out any compounds, *British* brandy, or other spirits, contrary to the intent of this act, such compounds, *British* brandy, and other spirits, shall be seized and forfeited.

Exception
with respect to
spirits of wine.

XV. Provided nevertheless, and be it further enacted, That it shall and may be lawful for any rectifier or compounder of spirits, or any dealer in compounds, *British* brandy, or other rectified spirits, upon condition of their keeping their whole stock of spirits of wine separately and apart from their stock of other liquors, but not otherwise, to call for and receive permits for sending out spirits of wine of any higher or greater degree of strength than that of one in ten under hydrometer proof, to any person not being a maker, rectifier, or compounder of spirits, so that the whole quantity of such spirits of wine, to be sent to any one person in the same day, shall not exceed one hundred and twenty gallons; and the officer granting such permits, shall therein express the same to be double spirit, and shall debit the stock of such rectifier, compounder, or dealer, at the rate of one hundred and eighty gallons of *British* spirits, for every one hundred gallons of spirits of wine, for which such permits shall be respectively granted.

Rectifiers, &c.
for every 100
gallons of raw
spirits they
shall receive,
are allowed
permits for
sending out
140 gallons of
compounds,
&c.

XVI. Provided nevertheless, and be it further enacted, That for making unto the rectifiers and compounders of spirits, as well for what they shall make as for what they shall purchase and receive by permit, a fair allowance for that increase by water which is necessary to render their spirits fit for consumption, they shall be allowed permits for the sending out any number of gallons, not exceeding the rate or proportion of one hundred and forty gallons of compounds, or *British* brandy, for every one hundred gallons of *British* raw or unrectified spirits, of the strength of one to ten over hydrometer proof, which they shall have received by permit, or shall have made according to the regulations and directions of this act; any thing herein, or in any other act contained, to the contrary notwithstanding.

Officers to
keep accounts
with every
distiller, rec-
tifier, &c. to
prevent their
issuing per-
mits in a
greater pro-
portion than
above men-
tioned.

XVII. And, to the intent that the officers of excise may not issue permits for sending out a greater quantity of *British* spirits, compounds, or *British* brandy, from the stock of any rectifier or compounder of *British* spirits, whether he be a maker of spirits or not, than that of one hundred and forty gallons for every one hundred gallons which he shall legally make, or legally receive; be it further enacted, That the proper officers of excise shall keep an account in their books, with every distiller, maker, rectifier, and compounder of *British* spirits, as well of the quantities of all *British* spirits which such distiller shall legally make, or legally receive, as of all *British* spirits, compounds, spirits of wine, and *British* brandy, for which such officers shall grant any permit; and when and so often as any officer shall be called upon or required, by any maker, rectifier, or compounder of spirits, to grant any permit for sending out any compounds, *British* brandy, or other spirits, exceeding the quantity which

which fuch maker, rectifier, or compounder, ought to have remaining in ftock, the officer fhall immediately examine, or caufe to be examined, the ftock in hand of the perfon or perfons demanding fuch permit as aforefaid, and whatever excefs fhall be found, fuch excefs fhall be feized and forfeited.

XVIII. And, to the intent that the officers of excife may the better guard againft and difcover any illicit practices for evading the duties upon worts, wafh, and other liquors, granted by this act, be it further enacted, That the officers of excife fhall, within thirty days after the day of the paffing of this act, and fo afterwards once in every thirty days at the leaft, and oftener when occafion fhall require, or when directed by any principal or general officer of excife, or by the furveyor or fupervifor of the diftrict, take an account of the ftock of all diftillers and makers of *British* fpirits for home confumption, and alfo of the raw or unrectified ftock of all dealers in fpirits for home confumption, (fuch diftillers, makers, or dealers, not being actual rectifiers or compounders of fpirits;) and if, on taking the fame, the quantity of fpirits in ftock, added to the quantity for which permits fhall have been granted fince the laft reckoning, fhall be found to exceed the ftock left in hand on the laft reckoning, added to the quantity fince legally made or received by permit (fuch ftock being caft or computed at the ftrength of one to ten over hydrometer proof,) the quantity of fpirits fo found in excefs fhall be feized, loft, and forfeited.

Officers, once in 30 days, to take an account of the ftock of all diftillers for home confumption, and of the raw ftock of dealers:

XIX. And be it further enacted, That within thirty days next after the paffing of this act, and afterwards once in every thirty days at the leaft, the officers of excife fhall alfo take an account of the raw or unrectified ftock of every rectifier or compounder of fpirits, whether he be a maker or not, and alfo of his ftock of all compounds, *British* brandy, or other *British* fpirits; and if on taking fuch account, the ftocks fo taken, added to the quantity of fpirits for which permits fhall have been drawn by fuch rectifier or compounder fince the laft reckoning, fhall be found to exceed the former ftock, and the quantity fince made or received by permit, with the allowance of forty gallons as aforefaid on every one hundred gallons fo made or received (cafting or computing fuch ftock at the ftrength of one in ten under hydrometer proof,) the compounds, *British* brandy, or other *British* fpirits, fo exceeding, fhall be feized, loft, and forfeited.

And alfo of the raw ftock of rectifiers and compounders, and of their compounds, &c.

XX. Provided always, and be it further enacted, That if any ftill fhall happen to be at work at the time of the officers of excife taking the ftock of any diftiller, maker, rectifier, or compounder of fpirits to whom fuch ftill belongs, then, and in every fuch cafe, all the fpirits produced from that charge of the ftill fhall be kept feparate and apart from the reft of the ftock, till the account of the reft of the ftock fhall have been completely taken, after which the fpirits produced from the charge of the ftill fhall be added to the ftock.

Directions relative to ftills at work at the time of taking ftock.

XXI. And for enabling the officers of excife the more readily

Standing caſks containing raw ſpirits ſhall within 30 days after paſſing this act, or before they are uſed, be entered at the proper office, and gauged. Moveable caſks to have their contents marked thereon, on penalty of 50l.

Moveable caſks not empty, to be filled up before officers take ſtock,

on penalty of 100l.

Dealers, who are not rectifiers, &c. not to be allowed any increaſe upon ſpirits.

Spirits found in the poſſeſſion of dealers above the ſtrength allowed by this act, to be forfeited.

to take the ſeveral accounts by this act directed, be it further enacted, That all ſtanding or fixed caſks, wherein any raw or unrectified ſpirits, compounds, *Britiſh* brandy, or other ſpirits, are kept in ſtock, ſhall, within thirty days after the paſſing of this act, or if erected or ſet up after that time, then before the ſame ſhall be made uſe of, be entered at the proper office of exciſe, and be truly gauged and inched to the ſatisfaction of the principal or general officer of exciſe, or of the ſurveyor or ſuperviſor of exciſe for the diſtrict; and that every moveable caſk, uſed for the purpoſe of ſending out or keeping of raw or unrectified ſpirits, compounds, *Britiſh* brandy, and other ſpirits, by any maker, rectifier, compounder, or dealer in *Britiſh* ſpirits for home conſumption, ſhall have its full contents in gallons legibly marked on ſome conſpicious part thereof, upon pain that the owner of any moveable caſk ſo uſed, not being ſo marked, ſhall forfeit and loſe the ſum of fifty pounds for every ſuch default or omiſſion.

XXII. And be it further enacted, That if a previous notice of twelve hours, in writing, be given or left by the officer of exciſe, of his intention to take any ſtock of raw or unrectified ſpirits, compounds, *Britiſh* brandy, or other ſpirits, by virtue of this act, the owner thereof ſhall forthwith fill up, or cauſe to be filled up, all ſuch of his moveable caſks as ſhall not be left empty, except that he may leave one ulage of each reſpective fort or ſpecies of compounds, *Britiſh* brandy, or other ſpirits, to the intent that ſuch officer may be able to take ſuch ſtock with the greater eaſe and certainty; and the owner of any ſuch ſtock reſuſing or neglecting ſo to do, ſhall forfeit and pay the ſum of one hundred pounds.

XXIII. And be it further enacted, That no dealer in ſpirits, not being alſo a maker or rectifier of ſpirits for home conſumption, ſhall be allowed any increaſe upon any ſpirits whatſoever; and if, on taking an account of the ſtock, there ſhall be found any raw or unrectified ſpirits of a greater ſtrength than that of one to ten over hydrometer proof, or any *Britiſh* brandy, or compounds of any kind, above the ſtrength of one in ten under hydrometer proof, (ſave only and except ſpirits of wine, which are herein before otherwiſe provided for,) the ſame ſhall be reſpectively ſeized and forfeited.

XXIV. Provided always, and be it further enacted, That if, on taking the ſtock of any dealer in ſpirits, not being an actual rectifier or compounder, any *Britiſh* ſpirits, or compounds, or *Britiſh* brandy, (excepting ſpirits of wine received by lawful permit under this act,) or any mixture of *Britiſh* ſpirits, compounds, or *Britiſh* brandy with foreign ſpirits, ſhall be found in his cuſtody, exceeding the ſtrength of one in ten under hydrometer proof, the ſame ſhall be deemed *Britiſh* ſpirits illicitly obtained, and ſhall be ſeized and forfeited.

XXV. And, to the intent that no allowance may be made, or permits granted, to any perſon or perſons calling themſelves rectifiers or compounders for ſale, but not being known and actual rectifiers or compounders, for any increaſe which ſuch perſon or perſons may make

In their ſtock by water, be it further enacted, That no dealer, or other perſon, ſhall be deemed to be a rectifier or compounder of *British* ſpirits within the purview or intent of this act, who ſhall not have an entered ſtill, capable of containing in the body thereof, excluſive of the head, one hundred and twenty gallons at the leaſt, nor unleſs ſuch ſtill ſhall have ſuitable tubs and worms affixed thereto, and ſhall be really and *bona fide* uſed for the rectifying of *British* ſpirits for ſale.

Who ſhall be deemed rectifiers or compounders of *British* ſpirits.

XXVI. And, to the intent that the officers of exciſe may the more conveniently examine into, and give proof (if neceſſary) of the ſtrength and quality of any compounds, *British* brandy, or other ſpirits for home conſumption, be it further enacted, That it ſhall and may be lawful to and for the officers of exciſe, at all times, to take ſamples, not exceeding four gallons reſpectively, of any compounds, *British* brandy, or other ſpirits whatever, upon payment after the rate of ſeven ſhillings *per* gallon for *British* ſpirits, and of thirteen ſhillings *per* gallon for foreign ſpirits.

Officers may take ſamples of ſpirits, paying for the ſame.

XXVII. And be it further enacted, That no maker, rectifier, or compounder of ſpirits, ſhall receive into his ſtock or poſſeſſion any raw or unrectified ſpirits in any caſk or veſſel of a leſs ſize or content than that of one hundred gallons at the leaſt; nor ſhall any rectified or unrectified ſpirits, or any compounds, or *British* brandy, be received by any diſtiller, rectifier or compounder, or by any dealer in ſpirits, at any other time than between the hours herein-after mentioned; that is to ſay, from the twenty-fifth day of *March*, to the twenty-ninth day of *September*, both incluſive, between the hours of five in the morning and ſeven in the evening; and from the thirtieth day of *September*, to the twenty-fourth day of *March*, both incluſive, between the hours of ſeven in the morning and ſix in the evening; and when and ſo often as any raw or unrectified ſpirits ſhall be received in any caſk or veſſel of a leſs content or ſize than ſuch as is before deſcribed, or if any raw or unrectified ſpirits, or any compounds, or *British* brandy, ſhall be received at any other hour than as herein-before for that purpoſe is limited, ſuch compounds, *British* brandy, and other ſpirits, ſhall be ſeized and forfeited.

In what ſized veſſels, and at what hours, ſpirits may be received by diſtillers, rectifiers, &c.

XXVIII. And whereas great frauds are daily committed by diſtillers fraudulently conveying waſh into their ſtills, and the officers of exciſe are not ſufficiently enabled to diſcover the ſame, by reaſon of the number of pipes and conveyances which communicate with the charging pipe; now, the better to enable the officers of exciſe to detect ſuch frauds in future, be it enacted, That no diſtiller of ſpirits, whether for home conſumption or exportation, ſhall, from and after the firſt day of *October*, one thouſand ſeven hundred and eighty-four, have or keep any pipe or conveyance leading to his waſh ſtill, ſave and except the known charging pipe or conveyance leading from his known and entered waſh back or backs, and which ſaid pipe or conveyance ſhall empty itſelf into a ſhute, open trunk, or veſſel, at a diſtance not exceeding ſix feet from the ſtill, and of the following

After Oct. 1, 1784, no diſtiller to have more than one pipe leading to his waſh ſtill.

Dimensions
thereof.

Penalty.

Officers may
take a ſample
of the waſh.

The provi-
ſions contain-
ed in .

12 Geo. 3. c.
46;

and 14 Geo.
3. c. 73i

ſo far as re-
lates to pro-
viding locks
or keys to the
furnace doors,
ſtill head, &c.

extended to
diſtillers of
low wines, &c.
for exporta-
tion.

Diſtillers not
intituled to any
allowance for
increaſe of
waſh in the
ſtill.

dimensions; (that is to ſay,) at leaſt four feet in length, two feet in width, and two feet in depth; from which ſhute, open trunk, or veſſel, the conveyance pipe, into the waſh ſtill, ſhall be in a ſtraight line; on pain of forfeiting for every other pipe or conveyance erected, ſet up, kept, or continued, the ſum of two hundred pounds: and, to the end that the officers of exciſe may be able to taſte, examine, and aſcertain the quality of all waſh, or other liquors intended to be conveyed into the ſtill or ſtills of every diſtiller or maker of low wines and ſpirits, whether for home conſumption or exportation, ſuch officers are hereby empowered, as often as to them, or any one of them, ſhall ſeem expedient, to take a ſample or ſamples of the waſh or liquid while in fermentation, or during its conveyance to the waſh ſtill or ſtills, not exceeding twelve gallons at any one time, on paying after the rate of one ſhilling and ſixpence *per* gallon for the ſame.

XXIX. And be it further enacted, That all and every the clauſes, proviſions, reſtrictions, powers, authorities, and directions, enacted, provided, granted, and contained in and by an act of the twelfth year of his Maſteſty's reign, intituled, *An act for the more effectual preventing of frauds in the revenues of exciſe, with reſpect to tea, ſoap, low wines, and ſpirits*; or in and by an act of the fourteenth year of his Maſteſty's reign, intituled, *An act to extend ſo much of an act, paſſed in the twelfth year of the reign of his preſent Maſteſty, as relates to diſtillers or makers of low wines and ſpirits from corn, to every kind of diſtiller; and for the more effectual ſecuring the revenue of exciſe ariſing from low wines and ſpirits; and for aſcertaining the allowance to be made to the manuſactuſers of wool and linen, in reſpect of the duties on ſoap imported and uſed in the woollen and linen manuſactuſes*; ſo far as the ſame relate to or concern the finding, providing, and affixing any locks, keys, or faſtenings to the furnace doors, waſh pumps, ſtill head, and charge and diſcharge cock, of any waſh ſtill, and to the head and diſcharge cock of any low wine ſtill for the making of ſpirits for home conſumption, and for the ſecuring, locking up, and uſe thereof reſpectively; and the powers, authorities, and directions thereby reſpectively given to the officers of exciſe for the opening and ſhutting of the furnace doors, and ſtill heads, and cocks, and for enforcing a due obedience to the ſaid acts, in reſpect to the matters aforeſaid, under the ſeveral pains and penalties thereby reſpectively impoſed and inflicted for any diſobedience or neglect concerning the ſame, ſhall be, and the ſame are hereby re-enacted and declared to extend to all furnaces, waſh pumps, and ſtills of diſtillers and makers of low wines and ſpirits for exportation.

XXX. And, for enabling the officers of exciſe the better to guard againſt any fraud in the charge of the waſh ſtill for diſtilling of low wines and ſpirits for exportation, under a pretence of ſuch charge having been increaſed by water or other fluid mixed therewith; be it further enacted, That no diſtiller or maker of ſpirits

spirits for exportation shall have or be intitled to any allowance, for or under any pretence of any increase by water or any other fluid mixed with the wash put into the still; but the whole charge of the still shall be considered as wash, and the distiller or maker shall, in respect of the said charge, produce to the proper officer the several and respective quantities and proportion of spirits specified and directed in and by an act of the twenty-first year of his present Majesty's reign, tor, (amongst other things) *the better and more effectually securing the revenue of excise, and of the inland duties under the management of the commissioners of excise, and for preventing frauds therein, under the pains and penalties in and by the said act directed and provided in that behalf.*

XXXI. *And whereas distillers and makers of spirits, having made entry of their still-houses, have sometimes for illicit purposes withdrawn such entry, although their utensils for brewing and fermenting wort, wash, or other liquors, and for distilling of spirits, have been left standing, or in such a state as to be readily converted again to those uses: and whereas there is reason to suspect that great quantities of spirits have been made in the night-time, by distillers and makers of spirits, without the knowledge of the officers of excise, and that such spirits have been afterwards concealed, or clandestinely removed, and the duties chargeable thereon evaded: and whereas such distillers and makers of spirits, disregarding the small and inadequate penalty provided by law for refusing access by night to the officers of excise, have many times excluded and prevented any officer from entering their respective still-houses in the night-time, whereby opportunities have been obtained of defrauding his Majesty of a considerable part of the duties upon low wines and spirits: and whereas no provision is made by law, whereby any excise officer can or may, in the night-time, have access to the entered premises of the maker of spirits for home consumption, but in the presence of a constable, or peace officer; and by means of the frequent difficulty of finding any such officer in the night, as well as of the smallness of the penalty which he incurs by his refusal to attend the officer of excise for such purposes when required, the assistance of such peace officer can seldom be obtained; be it further enacted, That no distiller, or maker of spirits for home consumption, shall be allowed to withdraw or discontinue his or her entry of any still-house or store-house, whilst any duty therein shall be depending, or any utensils for brewing, fermenting, or distilling, shall be standing; and that it shall and may be lawful for any officer or officers of excise, belonging to the district, to enter by night, as well as by day, by the usual or most accustomed doors or passages, into all entered still-houses, and all other places where utensils for brewing, fermenting, or distilling, are standing, belonging to any distiller or maker of low wines and spirits for home consumption or exportation; and if any person or persons shall wilfully obstruct any such officer or officers of excise from having free ingress and regress into and from any such entered still-house or place, every such person shall, for every such*

Preamble, reciting that distillers sometimes withdraw their entries whilst their utensils are left standing, &c.

No distiller to withdraw his entry of any still-house, &c. whilst any duty is depending, or utensils standing.

Officers may enter still-houses by night, as well as by day.

Persons obstructing them forfeit 200l.

Diſtillers may charge their entries from home conſumption to exportation, &c.

Perſons knowingly per- mitting any back ſtill to be uſed in their houſe, ſhall incur penalties as the perſons uſing the ſame.

Spirits ſeized and condemn- ed, to be val- ued by ſuch perſons, &c. as the com- miſſioners of exciſe and cuſtoms re- ſpectively ſhall direct; and then deſtroy- ed.

Receiver ge- neral to pay to the ſeizing officer the amount of his ſhare of the value.

offence, forfeit the ſum of two hundred pounds; and after any obſtruction, it ſhall and may be lawful to and for ſuch officer or officers of exciſe, together with proper aſſiſtance, to break open by force, any doors leading or belonging to ſuch entered ſtill- houſe, or place, or any of the windows thereof, or to break through any of the walls, ſo far as is neceſſary for ob- taining entrance thereinto: provided always, That nothing herein-contained ſhall extend, or be conſtrued to extend, to prevent any diſtiller from changing his entry for the making of ſpirits for home conſumption, to an entry for making of ſpirits for exportation, or from changing his entry for the making of ſpirits for exportation, to an entry for making of ſpirits for home conſumption, ſo that every new entry for the reſpective purpoſes aforeſaid be made on the ſame day whereon ſuch diſtiller ſhall have withdrawn or diſcontinued his former entry; but if the new entry ſhall not be made on the ſame day in which the former entry ſhall be withdrawn, ſuch former entry ſhall remain and continue in full force.

XXXII. And be it further enacted, That if any perſon ac- tually occupying any houſe, whether he or ſhe be the owner or re- ter thereof, ſhall knowingly permit any private back or ſtill to be ſet up and uſed in any part of ſuch houſe, or in any building thereto belonging, by any perſon or perſons whatſo- ever, for the making of wort, wath, or other liquor for diſtil- lation, or of any low wines or ſpirits, without a due entry being previously made thereof at the proper office of exciſe, as is by law required, ſuch occupier ſhall incur and be ſubject to the ſame pains and penalties as are by law directed to be inflicted on the perſon or perſons actually uſing any ſuch back or ſtill.

XXXIII. And be it further enacted, That all arrack and rum, and all home made and foreign brandy, compounds, and other ſpirits, of what kind ſoever, which ſhall be ſeized and condemned as forfeited, under any former act or this preſent act, ſhall be valued by ſuch perſons, and in ſuch manner and form reſpectively, as the commiſſioners of exciſe, in caſes of ſeizure made by their officers, and as the commiſſioners of his Maſteſty's cuſtoms, in caſe of ſeizure made by officers of the cuſtoms, ſhall reſpectively direct; and, after ſuch valuation, the ſame ſhall be ſtaved and utterly deſtroyed; and that, on the officer or officers who ſeized the ſame producing a ſatiſſactory certificate or proof of ſuch valuation and condemnation, and of the deſtroying ſuch brandy, compounds, or other ſpirits, unto the ſaid commiſſioners, they are hereby reſpectively authorized and required to direct the receiver-general of the duties of ex- ciſe, or the receiver-general of the cuſtoms, as the caſe may be, to pay out of the duties in their receipt and collections, unto the ſeizing officer or officers, the amount in value of his or their ſhares of ſuch condemned and deſtroyed brandy, com- pounds, or other ſpirits, according to the valuation thereof made as aforeſaid, excluſively of the duties for the ſame; any law, ſtatute, or uſage to the contrary notwithstanding.

XXXIV. And

XXXIV. And whereas a manufacture of ſpirits, commonly called Maidſtone Geneva, was formerly eſtabliſhed at Maidſtone in Kent by George Biſhop of that place, which manufacture is eſſentially different from any other manufacture of ſpirits in Great Britain; as well with reſpect to the quality of the liquor as to the proceſs by which it is made: and whereas the ſaid manufacture requires ſo large a proportion of waſh to produce a given quantity of ſpirits, as to render it impoſſible to revive the ſaid manufacture, if the rate of duty preſcribed by this act be collected on each gallon of the waſh; be it therefore enacted, That, from and after the firſt day of November, one thouſand ſeven hundred and eighty-four, during the continuance of this act, there ſhall be paid by the ſaid George Biſhop, for every ſeventy-two gallons of waſh which he ſhall produce from a weight of malt, or other corn, not exceeding one hundred and twelve pounds, the ſum of fifteen ſhillings, being at the rate of two-pence halfpenny per gallon.

XXXV. And be it further enacted, That for every one hundred and twelve pounds of malt, or other corn, ſo uſed, the ſaid George Biſhop ſhall be allowed a credit, in the books of the proper officer of exciſe, of not more than fix gallons of ſpirits, at the ſtrength of one to ten over hydrometer proof.

XXXVI. And be it further enacted, That before the ſaid George Biſhop ſhall make uſe of any malt or corn, for the purpoſe of making any worts or waſh, he ſhall give twelve hours notice in writing to the proper officer of exciſe of his intention to uſe the ſame, in order that the ſaid officer may attend to weigh ſuch malt or corn; and if the ſaid George Biſhop ſhall neglect to give ſuch notice as aforeſaid, he ſhall, for every ſuch neglect, forfeit and loſe the ſum of five hundred pounds.

XXXVII. And be it further enacted, That, for the purpoſe of enabling any officer of the diſtrict to aſcertain the ſtrength of the waſh on which the duty as aforeſaid ſhall have been charged, the ſaid George Biſhop ſhall provide, in the ſaid diſtillery houſe, a ſmall ſtill, with a worm and tub compleat, of a ſize ſufficient to diſtill, at one time, twenty-four gallons of waſh; which quantity of waſh ſuch officer is hereby empowered to take and diſtill for the purpoſe aforeſaid, when and ſo often as he ſhall think fit; and if the twenty-four gallons of waſh ſo diſtilled, ſhall be found to produce more than two gallons of ſpirits, at the ſtrength of one to ten over hydrometer proof, then the whole quantity of waſh from which ſuch twenty-four gallons were taken, ſhall be charged with a duty of ten-pence per gallon.

XXXVIII. And be it further enacted, That all ſuch of the rates and duties by this act granted, as ſhall ariſe and become payable in England or Wales, or the town of Berwick upon Tweed, ſhall be under the receipt and management of the commiſſioners and officers of his Maſteſty's revenue of exciſe in England for the time being; and that all ſuch of the ſaid rates and duties by this act granted, as ſhall ariſe and become payable in Scotland, ſhall be under the receipt and management of the

From Nov. 1, 1784, George Biſhop of Maidſtone ſhall pay the full ſwing duty for the Maidſtone Geneva.

For every 72 gallons of waſh produced from 112 pounds of malt, &c. 15s.

Six gallons of ſpirits to be allowed by the officer for 112 pounds of malt, &c.

George Biſhop to give 12 hours notice to the officer to weigh the malt, &c.

on penalty of 500l.

George Biſhop to provide a ſmall ſtill, to enable the officer to determine the ſtrength of the waſh.

Duties to be under the management of the commiſſioners of exciſe in England and Scotland reſpectively;

and paid at such times as the duties hereby discontinued are directed to be paid.

Monies arising from the duties how to be applied.

Powers and penalties of former acts relative to spirituous liquors for home consumption, shall be applied in executing this act.

Limitation of actions.

commissioners and officers of his Majesty's revenue of excise in *Scotland* for the time being; and the said commissioners of excise, or the major part of them, within their respective departments or jurisdictions, shall be, and are hereby respectively empowered, by commission under their respective hands and seals, to constitute and appoint under them such officers as shall be necessary in that behalf; and all the monies to arise from the said rates and duties shall, from time to time, during the said space or term of two years, be paid, collected, and received at such respective times as the aforesaid duties upon low wines and spirits made for home consumption, and hereby discontinued, have usually been, or ought to have been, or are directed to be paid, collected, and received; and all the monies whatsoever arising from the rates and duties granted by this act shall, according to the judgement of the said commissioners of excise in *England* and *Scotland*, within their respective departments for the time being, or the major part of them, be by them ordered, appropriated, paid, and applied, in a due and just proportion, to and for the several and the same uses and purposes as the said rates and duties on low wines and spirits were, by the several acts for granting, imposing, or appropriating the same, directed to be appropriated and applied respectively.

XXXIX. And be it further enacted, That all the powers, authorities, directions, rules, methods, penalties and forfeitures, clauses, matters, and things, which, by any act of parliament now in force relating to his Majesty's revenues of excise upon spirituous liquors or strong waters, made in *Great Britain* for home consumption, are provided, settled, or established, for securing, enforcing, managing, raising, levying, collecting, paying, recovering, adjudging, or ascertaining, the rates, duties, or penalties, thereby granted or directed, and for preventing, detecting, and punishing frauds relative thereto, (not being expressly altered, repealed, changed, or controuled by this act,) shall be exercised, practised, applied, used, imposed, levied, recovered, and put in execution, for the securing, enforcing, managing, raising, levying, collecting, paying, adjudging, ascertaining, and recovering, the rates, duties, penalties and forfeitures, herein-before imposed, granted, or made payable by this act, and for detecting, preventing, and punishing frauds relating thereto, as fully and effectually, to all intents and purposes, as if all and every the said powers, authorities, rules, directions, methods, penalties and forfeitures, clauses, matters, and things, were herein repeated and re-enacted.

XL. And be it further enacted, That if any action or suit shall be brought or commenced against any person or persons, for any matter or thing done, by any officer or officers of excise or customs, or any others acting in his or their aid, in execution of, or by reason of his or their office, under the authority or by colour of this act, such action or suit shall be brought or commenced within three months next after the cause of action shall have arisen, and not afterwards; and shall be laid or tried

ried in the county or place where the facts were committed, and not in any other county or place; and the defendant or defendants ſhall and may plead the general iſſue, and give the ſpecial matter in evidence at any trial to be had thereupon; and if the plaintiff or plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their action or ſuit, or if, upon a verdict or demurrer, judgment ſhall be given againſt the plaintiff or plaintiffs, the defendant or defendants ſhall and may recover treble coſts, and have ſuch remedies for the ſame, as any defendant or defendants can or may have in other caſes where coſts are given by law.

General iſſue.

Treble coſts.

XLI. And be it further enacted, That if any perſon or perſons ſhall obſtruct, aſſault, reſiſt, oppoſe, moleſt, or hinder any officer or officers of exciſe, in the due execution of the ſeveral powers and authorities given or granted to ſuch officer or officers, by this or any other act now in force relating to diſtillers, rectifiers, or compounders of *British* ſpirits for home conſumption, or for exportation, or to ſellers of, or dealers in, brandy, arrack, rum, or other ſpirits or ſtrong waters; every perſon or perſons ſo offending, ſhall (except in ſuch caſe for which other penalties are herein-before directed) forfeit and loſe, for every ſuch offence the ſum of two hundred pounds.

Any perſon obſtructing an officer in the execution of this act, ſhall forfeit 200l.

XLII. And be it further enacted, That all penalties and forfeitures impoſed by this act (and not herein-before otherwiſe directed) ſhall be ſued for, recovered, and levied by ſuch ways, means, and methods, as any fine, penalty, or forfeiture, is or may be ſued for, recovered or levied, by any law or laws of exciſe, or by action of debt, bill, plaint, or information, in any of his Maſteſty's courts of record at *Weſtmiſter*, if the matter ſhall ariſe in *England* or *Wales*, or the town of *Berwick upon Tweed*, or in the court of exchequer in *Scotland*, if the matter ſhall ariſe in that part of the united kingdoms; and that one moiety of every ſuch fine, penalty, or forfeiture, ſhall be to his Maſteſty, his heirs or ſucceſſors, and the other moiety to him, her, or them who ſhall diſcover, inform, or ſue for the ſame.

Penalties and forfeitures how to be recovered and applied.

XLIII. Provided always, and be it further enacted, That no perſon who ſhall be ſued or proſecuted for any of the penalties given by this act, ſhall be proſecuted for the ſame offence under any former act; nor ſhall any perſon who ſhall be ſued or proſecuted for the penalty given by any former act, be proſecuted again for the ſame offence by virtue of this preſent act, or of any thing herein contained.

No perſon to be proſecuted twice for the ſame offence.

XLIV. And be it further enacted, That this act ſhall commence and take effect, as to all ſuch matters and things therein contained, in reſpect whereof no ſpecial commencement is hereby directed or provided, from and immediately after the tenth day of *October*, one thouſand ſeven hundred and eighty-four.

Commencement of this act.

XLV. And whereas it has been found by experience, that the laws and regulations eſta bliſhed by the ſeveral ſtatutes, made in behalf of the diſtillery of corn ſpirits, have not produced the intended effect,

either to the publick revenue, or to the people, in ſundry counties or diſtricts of the Highlands, in that part of Great Britain called Scotland; and that upon account of the inferior quality of the grain produced in the places and limits after deſcribed, the mountainous ſurface thereof, and the nature of the ſuel: and whereas the ſeveral foregoing regulations and proviſoes, by the preſent ſtatute enacted, would be equally defective in their application to, or execution in, the ſaid diſtricts, as the laws already ſubſiſting have hitherto proved; be it therefore enacted by the authority aſoreſaid, That, from and after the firſt day of October, one thouſand ſeven hundred and eighty-four, it ſhall be lawful to the commiſſioners, or the major part of them, by commiſſion under their hands, of his Ma- jeſty's exciſe, in the ſaid, part of Great Britain called Scotland, notwithstanding the ſeveral former acts and ſtatutes which do, at preſent ſubſiſt in behalf of, or in relation to, the diſtilling or manufacturing ſpirits from corn, and alſo notwithstanding the proviſoes and regulations herein-before enacted, to authorize and empower ſuch number of perſons as they ſhall judge proper and expedient, within the Highland pariſhes and diſtricts of the ſeveral counties of Orkney, Caithneſs, Sutherland, Roſs, Inverneſs, Argyle, Bute, Sterling, Lanark, Perth, Dunbarton, Aberdeen, For- far, Kincardine, Banff, Nairn, and Murray, to erect, keep, and work ſtills, the cubit contents of which, when the heads are on, may contain twenty gallons of *Engliſh* meaſure, and of no greater ſize or content, or of any number of gallons under the ſaid content, (except, in conſequence of the population and quantity of grain in any particular pariſh or diſtrict, it may appear neceſſary to the ſaid commiſſioners to licence a ſtill or ſtills from twenty to thirty gallons, and of no greater ſize or content), together with all neceſſary implements proportioned to the ſame; and to diſtill or draw off ſpirits from the barley, bear, or big, of the growth of the ſaid pariſhes or diſtricts, for one year, and for no longer or ſhorter ſpace, from the date of the commiſſion or licence, and ſo from year to year thereafter; and in ſuch commiſſion or licence to fix and aſcertain the bounds and limits of the particular diſtrict within which the licence is to have effect; which perſons ſo licenſed ſhall, upon delivery of the ſaid commiſſions, be obliged to pay into the receipt of the ge- neral exciſe, in the city of *Edinburgh*, the ſum of twenty ſhil- lings for each *Engliſh* gallon of the content of ſuch ſtill ſpecified by him, for the endurance of one year, in place of all rates or duties whatſoever by this or any former act impoſed upon diſtillers, or upon any materials or produce of diſtillation.

XLVI. And, in regard the ſaid privilege and exemption is hereby granted for the purpoſe of promoting agriculture and improvement, for aſſiſting to rear and ſupport cattle, and for accommodating the inhabitants of the ſaid places, pariſhes, and diſtricts, with ſpirits drawn from their own grain at moderate rates, ſo as all pretence for the commiſſion of frauds againſt his Maſeſty's revenue may be removed: therefore, in order to prevent all ſuch frauds, and the abuſes of the ſaid privilege and exemption; be it enacted by the autho-
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From Oſt. 1,
1784. com-
miſſioners of
exciſe in Scot-
land may im-
power ſuch
perſons as they
think proper,
in certain
Highland
counties, to
erect and
work ſtills.

Duty to be
paid by ſuch
perſons.

ity aforeſaid, That it ſhall not be lawful or allowable to the ſaid commiſſioners to grant licences under this act to any perſon or perſons who are tenants or taxmen, unleſs ſuch perſon or perſons ſhall produce, with their application a certificate ſubſcribed by their real landlord or landlords, and alſo by a juſtice of peace of the county where they live, recommending him, her, or them, as proper perſons to receive ſuch licences.

Commissioners not to grant licences to tenants, unleſs they produce a certificate of recommendation from their landlords, &c.

XLVII. And be it further enacted by the authority aforeſaid, That it ſhall not be lawful to any perſon or perſons whatſoever, within any of the places, pariſhes, or diſtricts ſo deſcribed, (excepting thoſe who ſhall be licensed or commiſſioned in manner before directed, or diſtillers regularly entered, according to the general laws of exciſe), to extract or diſtill any low wines or ſpirits, from barley, corn, or grain of any kind, or other materials, by any method or proceſs whatſoever, or to have in his, her, or their cuſtody, any worm or ſtill commonly uſed in diſtilling corn ſpirits, or any waſh, low wines, or other prepared materials for diſtillation.

No perſons within the ſaid diſtricts (except thoſe to be authorized under this act, &c.) to diſtill any low wines or ſpirits.

XLVIII. And, for preventing of frauds and offences againſt the prohibitions hereby made; be it further enacted by the authority aforeſaid, That whatever perſon or perſons ſhall be convicted of extracting or diſtilling any ſpirits from corn or other materials, or of having in his, her, or their cuſtody, any worm or ſtill commonly uſed in diſtilling corn ſpirits, he, ſhe, or they ſhall forfeit and loſe the ſum of one hundred pounds for each offence; one moiety of which ſhall belong to the poor of the pariſh in which ſuch offence ſhall be committed, and be paid to the kirk treaſurer or other receiver of charities upon their account, and the other moiety to the perſon or perſons who ſhall inform of, and ſue for the ſame; and further, the ſtill, worm, batch, and whole other utenſils found therewith, and belonging thereto, ſhall be forfeited and ſeized, and the value thereof divided by equal moieties; one moiety to the ſaid poor of the pariſh, and the other moiety to the informer or proſecutor, in the ſame manner as is directed to be done with the ſaid fine or penalty; and further, in caſe the ſaid perſon or perſons ſhall reſuſe or neglect to pay the ſaid penalty when demanded, then the houſehold furniture, implements, crop, and cattle, of the perſon or perſons ſo convicted, ſhall be taken in execution, and ſold for payment of the ſaid fine, the charges of recovery, and of making good the ſame, without regard to any right the landlord or other party may have or pretend to have therein, upon any account whatever; and in caſe no ſuch effects be found, or that the effects actually found ſhall not produce the amount of the ſaid penalty and charges, then the heritors of the pariſh in which the offence has been committed, ſhall be obliged to pay the whole of the ſaid penalty, or to make up the deficiency thereof, as the caſe may happen; as alſo in the caſes where the ſaid heritors ſhall be liable or ſubjected, it ſhall be optional to the board of exciſe in Scotland, or to the proſecutor at whoſe inſtance execution iſſued, to ſue any three of the

Any perſon convicted of diſtilling ſpirits, or having any ſtill, &c. in his poſſeſſion, ſhall forfeit 100l.

and alſo the ſtill, worm, &c.

If the effects of the offender are not ſufficient the heritors of the pariſh ſhall ſupply the deficiency.

the faid heritors they or he may judge proper, for payment of the faid fine, or remainder of fine, and charges attending the fame; and the heritors making payment fhall have recourfe and relief againft all the other heritors in the faid parifh, and each of the faid heritors fhall pay according to the proportions, and in the fame method, as that by which the ftipend of the minifter is levied and paid; providing alfo, that the perfon who holds the execution or diligence againft the faid effects, and is intitled to levy the faid fine, may bring his action, and is to have execution againft any three of the faid heritors, jointly or feverally, for payment of the fums due; and upon payment thereof, the faid heritors fhall have recourfe againft the other heritors of the parifh for their refpective proportions of the faid fum; and the faid heritors, upon payment, fhall have action againft the perfon and property of the principal offender; which offender upon fuffering himfelf to be imprifoned therefore fhall not be entitled to the benefit of *ceffio bonorum*, neither fhall the burghs be at liberty to difcharge the faid perfon or perfons, in virtue of the act of the parliament of *Scotland*, commonly called *The Act of Grace*, or any other privilege of the law, but the faid perfons fhall fuffer imprifonment as fraudulent offenders againft, and debtors to, his Majefty's revenue; as alfo providing that it fhall be lawful for the faid commiffioners of excife, by the tenor of the licences to be by them granted, to reftrikt the perfon or perfons, receivers of the fame, to refide in fuch particular places of the faid counties, places, or diftricts, as to the faid commiffioners fhall feem proper for answering the purpofes hereby intended, the faid places being always at the diftance of ten miles, (according to the computation of the country), at the leaft, from any entered or excifeable diftillery; and the perfons fo licensed by them fhall be obliged, ten days before the expiration of the current commiffion, to renew the fame, and to pay the monies refpectively due therefor; providing, that in cafe the perfons fo authorized fhall neglect to take out new commiffions as is hereby directed, and continue notwithstanding to diftill fpirits, fuch perfons fhall forfeit and lofe the fum of one hundred pounds, and fhall not be capable of being again licensed, and the commiffioners fhall authorize other perfons in their places; providing alfo, that in the cafes where new commiffions fhall be iffued to other perfons, upon account of the neglect of the diftiller formerly licensed, fuch perfon, if alive, or, if deceased, his heirs, executors, or other representatives, fhall be obliged to deliver up the ftill and other implements belonging thereto, to the excife officer of the diftrict, upon payment of the value thereof, to be determined by any two of the neareft juftices of the peace refident at the time, one to be named by the officer, and the other by the faid perfon or his representatives; and, upon the delay or refusal of fuch delivery or nomination of a juftice, it fhall be lawful for the officer to feize upon the faid ftill and implements, and to have the fame valued by any two juftices of peace in the bounds, and to confign the value thereof

Heritors, upon payment, fhall have action againft the principal offender.

Licensed perfons, 10 days before the expiration of their commiffion, to renew the fame.

On failure thereof, and continuance of diftilling, to forfeit 100l.

thereof in the hands of the ſheriff clerk, or the clerk of the peace of the county, to be by them made forthcoming to the perſons having right, at their own riſk; and the ſaid ſtill and implements are to be at the diſpoſal of the commiſſioners of exciſe.

XLIX. *And, ſtill more effectually to answer the purpoſes before expreſſed*, be it enacted by the authority aforeſaid, That no ſpirits manufactured by ſuch licenſed diſtiller ſhall be exported, or carried, or ſold, out of the bounds of the ſeveral counties, diſtricts, pariſhes, or places before deſcribed; and in caſe any ſuch ſpirits ſhall be found out of the ſaid bounds, the ſame ſhall be, *ipſo facto*, forfeited, and are hereby directed to be ſeiſed, and treated according to the rules of exciſe in common caſes of forfeiture; providing alſo, that it ſhall not be lawful to the ſaid licenſed diſtillers to keep, have, or uſe more than one ſtill, or to remove the ſame to any other place, contrary to the tenor or direction of their reſpective licences; as alſo that it ſhall not be lawful for ſuch licenſed diſtillers to uſe or conſume any other grain than the growth or produce of the pariſh or diſtrict (to be mentioned and deſcribed in the licence to be taken out in manner aforeſaid) where he reſides; neither ſhall it be lawful to him, her, or them, to purchaſe ſpirits from one another, or to purchaſe or receive into their ſtock, ſpirits made by any other perſons whatever; and in caſe of any offence againſt this prohibition, and due conviction thereof, the ſaid perſons ſhall forfeit the ſum of one hundred pounds, one moiety whereof ſhall go to the poor of the pariſh where the offence ſhall be committed, and the other moiety to the informer; and further, that the ſaid diſtillers, upon ſuch conviction, ſhall loſe the benefit of his, her, or their licences, and be incapable of having the ſame renewed, and ſhall alſo forfeit his, her, or their ſtill and implements, the value whereof ſhall be divided between the poor of the pariſh and the informer, in the ſame manner as the penalty aforeſaid; which penalties are to be levied upon the goods of the diſtillers, and, failing of goods ſufficient for the purpoſe, their perſons are to be imprifoned and detained, without the benefit of *ceſſio bonorum*, or the act for the relief of the royal burghs, commonly called *The Act of Grace*, or other relief whatever: providing alſo, That if any ſuch licenſed tenant, poſſeſſor, or taxman of land, ſhall be convicted of wilfully keeping or working a ſtill larger, or of more content, than is ſpecified in his licence, or of keeping or working two or more ſtills, contrary to the foregoing prohibition, then, and in that caſe, the immediate landlord or proprietor of the ground or place upon which the ſaid fraud has been committed, ſhall be obliged to make good the penalty or remainder thereof, after the ſale of the offender's goods in manner before mentioned, reſerving to the ſaid landlords due relief againſt the perſons and properties of their ſaid offending tenants, in the ſame manner as is hereinbefore provided for relief of the heirs of pariſhes againſt unlicenſed and fraudulent diſtillers within their bounds.

No ſpirits manufactured by licenſed diſtillers to be carried out of the ſaid bounds.

No licenſed diſtiller to keep more than one ſtill, or to remove the ſame, &c.

nor to purchaſe ſpirits made by any other perſon, on penalty of 100l.

If any ſuch licenſed tenant ſhall be convicted of keeping a ſtill larger than is ſpecified in his licence, &c. the landlord of the ground ſhall make good the penalty, after ſale of the offender's goods, &c.

L. And

Commissioners may withdraw licences at their discretion.

L. And be it further enacted by the authority aforesaid, That it shall be lawful to the said commissioners of excise to withdraw all or any of the licences granted by them at any time they shall judge proper, or to refuse to renew or continue the same: providing, That if such licences shall be withdrawn during the currency thereof, without any fault or offence proven upon the holder thereof, he, she, or they, shall be intitled to be repaid of a proportion of the monies advanced by them, correspondent to the time which may be unexpired at the notice of such licence being withdrawn; but the still and implements are, in that case, to be given up, valued, and paid for, as above directed.

Officers discovering unlicensed stills, or stills of greater content than 20 gallons, &c. intitled to a reward of 10l.

LI. And, in the last place, for punishing the negligent, and encouraging the diligent officers of excise, within the counties before described, be it enacted by the authority aforesaid, That if any officer shall discover and seize unlicensed stills, or stills kept by persons licensed of greater content than twenty gallons, *English* measure, or otherwise, as is before-mentioned, when the heads are on as aforesaid, or more than one still in the custody of such person, or give information of such frauds, so as the offenders may be convicted thereof, such officer shall be intitled to a reward of ten pounds sterling for every still so seized, or information given; to be paid him with the next salary due, and the sum of five pounds shall be deducted out of the salary of the officer who did duty for three months in the said district preceding, and in whose time the said frauds were committed, and allowed to remain undiscovered.

Treasury to order commissioners of excise to make up an account of the produce of the duties hereby repealed, for seven years, with a medium thereof.

LII. And be it enacted by the authority aforesaid, That the commissioners of his Majesty's treasury, or any three or more of them, or the lord high treasurer for the time being, shall, immediately after the passing this act, direct the commissioners for managing his Majesty's revenue of excise, to cause to be made up an account of the net produce of the several and respective duties of excise repealed by this act for seven years, ended the fifth day of *July*, one thousand seven hundred and eighty-three, with a medium taken of the same; and the said commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, are hereby authorised and required to issue their warrant to the said commissioners of excise, directing and requiring them to cause their proper officers to distribute and apportion the monies which shall be paid to the receiver general of excise, for the duties granted by this act, in the following proportions; that is to say, As the annual medium of each district and respective duty hereby repealed, separately computed on the average of seven years as aforesaid, is to the total of the income of all the duties hereby repealed, computed on the same average of seven years as aforesaid, so shall the sum, which shall be applied in each week for each separate and distinct duty of excise by this act repealed, be to the total produce in the same week of the duties hereby granted; and the said receiver general is hereby authorised, directed, and required,

to

Monies to be paid to the receiver general, by virtue of this act, how to be distributed.

to pay the respective sums that will arise, according to the proportion to be taken as aforesaid, into the receipt of his Majesty's exchequer, to be issued and applied to the several funds, in order to make good the several and respective charges, which the said repealed duties were directed by the several acts of parliament for granting or continuing the same, are directed to be carried and applied; and the auditor of the receipt of his Majesty's exchequer, and all other officers and persons concerned in the issuing or applying the said duties are hereby directed and required to keep the said proportional sums distinct and apart from all other duties and revenues, and to distribute, issue, and apply the same to the respective funds, and to satisfy the several charges to which the duties hereby repealed were applicable, together with all arrears of the said repealed duties in the same manner as those duties have heretofore been issued and applied.

Auditor of the exchequer, &c. to keep the said sums apart from all other duties, and to apply them in like manner as the repealed duties.

LIII. *And whereas Arthur Forbes of Culloden, in the county of Inverness, esquire, is possessed of an exemption from the duties of excise forth of or growing due within the lands of Ferintosh, in the said county, under a certain lease, sett, or farm thereof, which was allowed by several acts and declarations of the parliament of Scotland before the union; which exemption hath been found highly detrimental to the revenue of excise, and prejudicial to the dilatory in other parts of Scotland, and it is therefore become necessary that the same should be extinguished and made void, upon a suitable compensation to be made for the same to the proprietor of the said lands; be it enacted, That the lords commissioners of his Majesty's treasury shall, and they are hereby authorized and empowered to treat, contract, and agree with the said Arthur Forbes upon the amount of the compensation to be made in lieu and discharge of the exemption so claimed, and at present enjoyed by him; and that, if the said lords commissioners of the treasury, and the said Arthur Forbes, his heirs or assigns, shall come to any agreement for any such compensation, the same shall be paid by the commissioners of excise in Scotland for the time being, out of the revenues of excise under their collection and management, unto the said Arthur Forbes, his heirs or assigns, in such manner and form as the said lords commissioners shall, in and by any contract or agreement, or any warrant or warrants under their hands, order and direct; and the said commissioners of excise are hereby required to make such payment accordingly; and that if the said lords commissioners shall not be able to agree with the said Arthur Forbes, his heirs or assigns, in respect to the amount of such compensation, then, and in that case, it shall and may be lawful to and for the barons of the court of exchequer in Scotland, upon any application to be made to the said court after the first day of January, one thousand seven hundred and eighty-five, by motion on the behalf of his Majesty, his heirs and successors, or by any motion or petition by or on behalf of the said Arthur Forbes, his heirs or assigns, to award and direct to be tried at the bar of the said court, by a special jury the crown in*

Treasury empowered to agree with Arthur Forbes upon a compensation to be made him for an exemption from the duties of excise within certain lands, at present enjoyed by him. If any agreement shall be made for such compensation, the same shall be paid by the commissioners of excise in Scotland:

But in case the parties cannot agree, the barons of the exchequer in Scotland, upon application to be made after Jan. 1, 1785, may direct to be tried, by a special jury, at the bar of their court, &c. the amount of the compensation which ought to be made by the crown in

discharge of
the said ex-
emption :

and after pay-
ment thereof,
the said Ar-
thur Forbes,
his heirs, &c.
shall pay such
duties of ex-
cise as other
persons in
Scotland.

jury of the city and county of *Edinburgh*, to be impannelled and sworn for that especial purpose, or to award any special commission forth of the said court of exchequer for making an inquest, by a jury of lawful men of the same city and county to be impannelled and sworn, the quantum or amount of the compensation or satisfaction which ought to be made and paid by the crown, in lieu and discharge of the said lease, sett, or exemption, regard being had to its circumstances, duration, and extent, as proved before the said inquest; and that, from and after the payment to the said *Arthur Forbes*, his heirs or assigns, of the said compensation to be paid as aforesaid, the said *Arthur Forbes*, or those claiming under him, and the heritors, proprietors, occupiers, and inhabitants of the said lands shall, at all times thereafter, pay such and the same duties of excise now existing, and hereafter to be imposed, as any other person or persons, within that part of *Great Britain* called *Scotland*, are and shall be liable to pay; and that all acts of parliament now in being, or hereafter to be made, for raising, levying, and securing the duties of excise in other parts of *Scotland*, and for punishing frauds and abuses in relation thereto, shall from thenceforth be in full force and effect with respect to the said *Arthur Forbes*, his heirs and assigns, or the heritors, proprietors, occupiers, and inhabitants of the said lands of *Perintosh*.

LIV. *And whereas, by an act made in the nineteenth year of the reign of his present Majesty, intituled, An act for granting to his Majesty additional duties upon the produce of the several duties under the management of the respective commissioners of the customs and excise in Great Britain, an additional impost or duty, after the rate of five pounds per centum upon the produce and amount of all the several subsidies, imposts, and other duties, under the collection and management of the commissioners of the customs in Great Britain, upon any goods and merchandizes imported into, or exported from, or carried coastwise, in Great Britain; and also, an additional duty or charge of five pounds per centum upon the produce and amount of all the several inland duties, rates, impositions, and charges (except as therein-after is excepted) then payable to his Majesty, and which were charged and collected under the management of the respective commissioners of excise in England and Scotland, were granted to his Majesty, his heirs and successors: and whereas, by another act, made in the twentieth year of his Majesty's reign, intituled, An act for granting to his Majesty additional duties upon malt, and upon low wines and spirits made for home consumption, and upon foreign spirits imported into Great Britain, and upon the produce of the said several duties; and for granting a duty on licences to be taken out by all persons trading in, vending, or selling of coffee, tea, or chocolate; further rates and duties were granted and imposed (amongst other things) upon spirits imported into Great Britain from beyond the seas, over and above all duties, charges, and impositions by any former act or acts set or imposed thereon: and whereas, by another act, made in the twenty-first year of his Majesty's reign, intituled, An act for granting to his Majesty*

Recital of 19
Geo. 3. c. 25;

20 Geo. 3. c.
35;

21 Geo. 3. c.
17;

Majesty an additional duty upon the produce of the several duties under the management of the respective commissioners of the excise in *Great Britain*, a further additional duty or charge of five pounds per centum was granted and imposed upon the produce and amount of all the several inland duties, rates, impositions, and charges, payable to his Majesty, and collected under the management of the commissioners of excise in England and Scotland: and whereas, by another act, made in the twenty-second year of his Majesty's reign, intituled, An act for granting to his Majesty additional duties upon the produce of the several duties under the management of the respective commissioners of the customs and excise in *Great Britain*, a further additional duty or charge of five pounds per centum was imposed upon the produce and amount of all the several inland duties, rates, impositions, and charges (except as therein is excepted), payable to his Majesty, and collected under the management of the respective commissioners of excise aforesaid: and whereas it is expedient to suspend the several additional imposts, rates, and duties, by the said several recited acts imposed upon rum and other spirits imported from the sugar plantations of this kingdom in the *West Indies*; be it therefore further enacted, That the several additional rates and duties, in and by the said recited act of the twentieth year of his Majesty's reign, granted and imposed upon rum and spirits imported into *Great Britain*, being of the growth, production, and manufacture of the *British* sugar islands or sugar plantations in the *West Indies*; and also the said several and respective additional imposts, duties, or charges, after the rate of five pounds *per centum*, imposed or granted, in and by the aforesaid three several recited acts of the nineteenth, the twenty-first, and the twenty-second years of his Majesty's reign, upon rum and spirits of the growth, produce, and manufacture aforesaid, imported into this kingdom; and all penalties and forfeitures, in respect to the said additional imposts, duties, or charges thereby imposed on the rum and spirits aforesaid respectively, shall be, and the same are hereby suspended for the term of two years, from the first day of *September*, one thousand seven hundred and eighty-four; but such suspension shall not extend to or affect the arrears of any of the said additional imposts, rates, or duties, now remaining due and unpaid, or to any penalties or forfeitures incurred in respect thereof, otherwise than is herein-after excepted.

LV. Provided always, and be it enacted by the authority aforesaid, That upon all such rum and spirits imported into *Great Britain*, being of the growth, production, and manufacture of the *British* sugar islands or sugar plantations in the *West Indies*, as shall, on the said first day of *September*, one thousand seven hundred and eighty-four, remain under his Majesty's lock, and in the custody of the officers of excise, for the better security of the inland duties which, before the passing of this act, would have been payable thereon, and upon which rum or spirits the several duties of customs shall have been paid, according to the rates and duties set and imposed thereon before the passing of this

and 22 Geo. 3. c. 66.

The additional duties, by the recited act 20 Geo. 3. granted upon rum and spirits imported into *Great Britain*, the produce of the *British* sugar islands; and the additional imposts of 5 per cent. granted by the recited acts of 19, 21, and 22 Geo. 3. upon such rum and spirits, and all penalties in respect thereof, shall be suspended for two years, from Sept. 1, 1784.

The duties on rum, &c. suspended by this act, for such as shall remain, on Sept. 1, 1784, in custody of excise officers, to be remitted to the proprietors thereof.

The number of gallons to be certified to the commissioners of the customs;

who are to repay to the importers so much of the customs as are hereby suspended.

this act, the several inland duties under the management of the commissioners of excise, which are by this act suspended, shall be, and they are hereby remitted to the proprietors of such rum or spirits respectively, and they are hereby discharged from the payment thereof; and that the said commissioners of excise shall, as soon as conveniently may be, after the said first day of September, one thousand seven hundred and eighty-four, certify to the said commissioners of the customs the number of gallons of such rum or spirits which, on the said first day of September, one thousand seven hundred and eighty-four, so remained in the custody of the officers of excise, and by whom the same was imported, distinguishing the quantity imported by each person; whereupon, and upon the application of such importers, the said commissioners of the customs shall cause to be repaid to such importers respectively, so much of the said duties of customs by them respectively paid thereupon, as are by this act suspended.

C A P. XLVII.

An act for the more effectual prevention of smuggling in this kingdom.

Preamble.

WHEREAS the laws heretofore made, and now in force, to prevent the clandestine importation and running of prohibited goods, and goods liable to the payment of duties, into this kingdom, have not been sufficient to answer the good purposes thereby intended; that pernicious practice having of late been greatly increased and carried on by large armed vessels at sea, and by numerous gangs of smugglers upon land, with great violence, in defiance of those laws, to the great loss and prejudice of the publick revenue, the detriment of the fair trader, and the endangering the lives of the officers of the revenue acting in the due execution of their duty; and it is highly necessary and expedient that some further provision should be made more effectually to prevent those destructive and growing evils; for remedy whereof, may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of October, one thousand seven hundred and eighty-four, if any ship or vessel shall be found at anchor, or hovering within the limits of any of the ports of this kingdom, or within four leagues of the coast thereof, or shall be discovered to have been within the said limits or distance (and not proceeding on her voyage, wind and weather permitting, unless in case of unavoidable necessity and distress of weather, of which necessity and distress the master, or other person having or taking the charge or command of such ship or vessel, shall give notice, and make proof before the collector or other chief officer of the customs of any port within the limits of which such ship or vessel shall be found, immediately after the arrival of such ship or vessel-

From Oct. 1, 1784, if any vessel shall be found at anchor, or hovering on the coasts, (unless by distress of weather),

vessel within the limits of such port), having on board any brandy, or other spirituous liquors, in any vessel or cask which shall not contain sixty gallons at the least, (except only for the use of the seamen then belonging to and on board such ship or vessel, not exceeding two gallons for each seaman), or having on board any wine in casks (provided such ship or vessel having wine on board shall not exceed sixty tons burthen), or having on board six pounds weight of tea, or twenty pounds weight of coffee; or having on board any goods whatsoever, liable to forfeiture, by any act of parliament, upon being imported into *Great Britain*, then not only all such goods, but also the ship or vessel on board which they shall be found as aforesaid, with all her guns, furniture, ammunition, tackle, and apparel, shall be forfeited.

having on board any foreign spirits in a cask which shall not contain 60 gallons, or any wine in casks, &c.

such vessel, with its cargo, shall be forfeited.

II. Provided always, and be it enacted by the authority aforesaid, That nothing in this or any former act shall extend, or be construed to extend, to prevent evidence from being received, in any suit or information brought for the forfeiture of any vessel, for or on account of any goods contained therein, in order to shew, from the smallness of the quantity of the said goods, and other circumstances of the case, that the said goods were on board such ship or vessel without the knowledge and privity either of the owner, or of the master, or other person having the charge or command thereof, and without any wilful neglect or want of reasonable care in the discharge of the duty of such owner, master, or other person having the charge or command of such vessel; and in every such case, where proof shall be made, from the smallness of the quantity of the said goods, and other circumstances, that such small quantity was on board without the knowledge, privity, or consent, either of the owner, or the master, or other person having the charge or command thereof, and without any wilful neglect or want of reasonable care, either in the owner, or in the master, or other person having the command of such ship or vessel, then, and in every such case, such ship or vessel (in case the same shall exceed one hundred tons in burthen) shall not be forfeited for or on account of such small quantity of goods.

In any suit for forfeiture, evidence may be received to show, from the small quantity of the goods, &c. that they were on board without the privity of the owner or master.

And on proof thereof, such vessel shall not be forfeited, if of more than 100 tons burthen.

III. Provided always, and be it further enacted by the authority aforesaid, That any such goods, which shall be so found on board any ship or vessel within the limits or distance aforesaid, whether with or without the privity or knowledge of the master thereof, shall be forfeited; and the person or persons in whose charge or possession the said goods shall be found, shall forfeit treble the value thereof, to be recovered as herein-after directed.

Such goods found on board to be forfeited, &c.

IV. And it is hereby further enacted by the authority aforesaid, That all vessels belonging in the whole, or in part, to any of his Majesty's subjects, called *Cutters*, *Luggers*, *Shallops*, or *Wherries*, (of what built soever), and all vessels belonging as aforesaid, of any other description, whose bottoms are clench work, unless they shall be square rigged, or fitted as sloops,

Certain vessels, herein described, to be forfeited.

with standing bowsprits, and all vessels belonging as aforesaid, the length of which shall be greater than in the proportion of three feet and an half to one foot in breadth; and all ships or vessels belonging as aforesaid, armed for resistance, (otherwise than is herein-after excepted), which shall, after the said first day of *October*, one thousand seven hundred and eighty-four, be found within the limits or distance herein-before described, shall be forfeited, together with all the goods, if any, which shall be laden thereon, and all her guns, tackle and furniture.

Not to prevent any vessel from having on board necessary arms.

V. Provided always, That nothing herein contained shall extend, or be construed to extend, to prevent any ship or vessel from having on board two carriage guns; of the calibre not exceeding four pounds, and small arms, not exceeding two muskets for every ten men.

Not to extend to vessels which may arrive from Russia before Dec. 1, 1784.

VI. Provided also, and be it further enacted by the authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to forfeit any ship or vessel which shall, on or before the first day of *December*, one thousand seven hundred and eighty-four, arrive in *Great Britain*, from any of the dominions of the emperors of *Russia*, for or on account of the built of such ship or vessel, or for having on board arms or ammunition.

Other vessels to which this act shall not extend.

VII. Provided always, and it is hereby further enacted by the authority aforesaid, That nothing in this act shall extend, or be construed to extend, to any ship or vessel on a voyage from any part of *America*, or the *East* or *West Indies*, or *Africa*, or the *Mediterranean*, so as to subject the same to forfeiture, for or on account of her built, or for having spirits, tea, or coffee on board, or for having on board arms or ammunition; nor to any ship or vessel in the service of his Majesty's navy, victualling, ordnance, customs, excise, or post office, for or on account of her built, or for having on board arms or ammunition; nor to any vessel whatsoever, the owner of which shall have a licence, as herein-after described and directed, for navigating the same, from the lord high admiral of *Great Britain*, or the commissioners of the admiralty for the time being, or any person authorised by them to grant the same, for or on account of her built, or for having on board such arms or ammunition as she shall or may be licensed to have, as herein-after mentioned; nor to any lighters or barges, used solely in rivers or inland navigations; nor to any ships or vessels which shall have on board any arms or ammunition which have been regularly entered and cleared at any custom-house in any of his Majesty's dominions, as merchandize, or for the use of his Majesty's stores or garrisons, and are regularly stowed in the hold of such vessels, or are put on board for the necessary use and defence of such vessels, by licence from the lord high admiral of *Great Britain*, or the commissioners of the admiralty for the time being, for or on account of such arms and ammunition; any thing herein-before contained to the contrary notwithstanding.

VIII. Provided always, and it is hereby further enacted, That

That no fee, gratuity, or reward, shall be demanded or received for any licence granted in pursuance or under the authority of this act, or for registering the same.

No fee to be taken for licences.

IX. Provided always, and it is hereby further enacted by the authority aforesaid, That the owner of every ship or vessel which shall be licensed as herein-before mentioned, shall, before such ship or vessel proceeds to sea, or sails out of any port, harbour, or creek in this kingdom, bring such licence, or cause the same to be brought, to the collector, comptroller, or other proper officer of the customs for the port, harbour, or creek, from which such ship or vessel is about to sail; which said collector, comptroller, or other proper officer, is hereby required duly to register the same, and shall also produce the same to the collector, comptroller, or other proper officer of the customs, of any and every port, harbour, or creek, at which he shall arrive.

Owners of licensed vessels to bring their licences to the proper officer at the port of exportation, &c.

X. And be it further enacted, That each and every licence shall specify the tonnage of such ship or vessel, and describe whether she is a cutter, lugger, shallop, or wherry, or what sort of built she is, and who is or are the owner or owners thereof, and for what port, harbour, or creek, she is about to sail; and what quantity and number, and what sort of arms and ammunition she is licensed to take and have on board; and the owner and owners of such ship or vessel shall also give sufficient security, by bond, to his Majesty, his heirs and successors, in double the value of such ship or vessel, to be approved of by and to the satisfaction of such collector, comptroller, or other proper officer of the customs; with condition that the said ship or vessel shall not be employed in the importation or landing of any tea or foreign spirituous liquors, or any prohibited or other goods, contrary to the true intent and meaning of this or any other act, or in the exportation of any goods which are or may be prohibited to be exported from this kingdom, or in the relanding of any goods whatsoever, contrary to law, which are entered outwards for exportation, for any drawback or bounty, or which are or may be prohibited to be used or worn in *Great Britain*, on failure whereof, such licence shall be void and of no force or effect; and such ship or vessel shall be liable to seizure and prosecution, in the same manner as if no such licence had been granted.

Particulars to be specified in the licence.

Owners to give security to his Majesty, that the ship shall not be employed in the importation or landing of tea, or foreign spirits, or any prohibited goods, &c.

XI. And it is hereby further enacted by the authority aforesaid, That, from and after the said first day of *October*, one thousand seven hundred and eighty-four, if any person or persons upon the shore, or on board any ship, vessel, or boat, shall maliciously shoot at or upon any ship, vessel, or boat, belonging to his Majesty's navy, or in the service of the customs or excise, within the limits of any port, harbour, or creek of *Great Britain*, or within four leagues from any part of the coast thereof; or if any person or persons, being on shore, or on board any ship, vessel, or boat, shall maliciously shoot at, maim, or dangerously wound any officer or officers, of his Majesty's navy,

From Oct. 1, 1784, if any person shall maliciously shoot at any ship belonging to the navy, &c.

or shoot at, or dangerously wound, any officer of the

navy, customs, or excise, when acting in the execution of his duty,

he shall suffer death as a felon.

If any person be charged with any offence made felony by this act, before a justice, or judge of the court of king's bench, if in England, or before one of the lords of justiciary, &c. if in Scotland, by information of one credible person upon oath, such justice or judge shall certify and return such information to one of the secretaries of state; to be laid before his Majesty in council; who may order the offender to surrender himself to such judge or justice, or lord of justiciary, &c.

or of the customs or exercise, whether attempting to go on board, or being on board, or returning from on board any ship, vessel, or boat, or otherwise acting in the due execution of his or their duty on shore, or within the limits of any port, harbour, or creek of *Great Britain*, or within four leagues of any part of the coast thereof; or shall maliciously shoot at, maim, or dangerously wound, any person or persons aiding and assisting such officer or officers in the execution of his or their duty as aforesaid; then every person so offending, and all and every person being aiding, abetting, or assisting therein, shall, being thereof lawfully convicted, be adjudged guilty of felony, and shall suffer death as a felon, without benefit of clergy.

XII. *And, for the more easy and speedy bringing the offenders against this act to justice*, be it enacted by the authority aforesaid, That if any person or persons shall be charged with being guilty of any of the offences aforesaid, made felony by this act, before any one or more of his Majesty's justices of the peace, or before one of his Majesty's justices of the court of king's bench, if the offence be committed in *England or Wales*, or within the limits of any of the ports thereof, or within four leagues of the coast thereof; or before any one of the lords of justiciary, or the judge of the high court of admiralty, or any judge ordinary, or judge admiral, deputy, or substitute, in *Scotland*, if the offence be committed within *Scotland*, or within the limits of any port of that part of *Great Britain* called *Scotland*, or within four leagues of the coast thereof, by information of one or more credible person or persons, upon oath, by him or them to be subscribed; such justice of the peace, or justice of the king's bench, or any lord of justiciary, or judge of the high court of admiralty, or judge ordinary, or judge admiral, deputy, or substitute respectively, before whom such information shall be made as aforesaid, shall forthwith certify, under his hand and seal, and return such information to one of the principal secretaries of state of his Majesty, his heirs or successors; who is hereby required to lay the same, as soon as conveniently may be, before his Majesty, his heirs or successors, in his or their privy council; whereupon it shall and may be lawful for his Majesty, his heirs or successors, to make his or their order in his or their said privy council, thereby requiring and commanding such offender or offenders to surrender him or themselves, within the space of forty days after the first publication thereof in the *London Gazette*, to the lord chief justice, or any other of his Majesty's justices of the court of king's bench, or to any one of his Majesty's justices of the peace, if the offence be committed within *England or Wales*, or within the limits of any of the ports thereof, or within four leagues of the coast thereof; or to any of the lords of justiciary, or judge of the high court of admiralty, or judge ordinary, or judge admiral, deputy, or substitute, in *Scotland*, if the offence be committed within *Scotland*, or within the limits of any port of that part of *Great Britain* called *Scotland*, or within four leagues of the coast thereof; who is hereby required, upon such

ſuch offender or offenders ſurrendering him or themſelves, to commit him or them, without bail or mainprize, to the county gaol, or to the gaol or priſon of the place where he or they ſhall ſo ſurrender, to the end that he or they may be forthcoming to answer the offence or offences, wherewith he or they ſhall ſtand charged, according to due courſe of law; which order the clerks of his Maſteſty's privy counſel ſhall cauſe to be forthwith printed and publiſhed in two ſucceſſive *London Gazetteſ*, and to be forthwith tranſmitted to the ſheriff of the county where the offence ſhall be committed, if the ſame ſhall be committed in any county; and if the offence ſhall not be committed within any county, but within the limits of any port as aforeſaid, or within four leagues of the coaſt of any part of *Great Britain*, to be tranſmitted to the ſheriff of any county near to the place where ſuch offence ſhall be committed; which reſpective ſheriff ſhall, within fourteen days after the receipt thereof, cauſe the ſame to be proclaimed, within the hours of ten in the morning and two in the afternoon, in the market places, upon the reſpective market days of two market towns in the ſame county in which, or near to the place where, ſuch offence ſhall have been committed; and a true copy of ſuch order ſhall be affixed upon ſome publick place in ſuch market towns: and in caſe ſuch offender or offenders ſhall not ſurrender himſelf or themſelves, purſuant to ſuch order of his Maſteſty, his heirs or ſucceſſors, to be made in council as aforeſaid, he or they, ſo neglecting or reſuſing to ſurrender himſelf or themſelves as aforeſaid, or eſcaping after ſuch ſurrender, ſhall, from the day appointed for his or their ſurrender as aforeſaid, be adjudged, deemed, and taken to be convicted and attainted of felony, and ſhall ſuffer pains of death as in caſes of a perſon convicted and attainted by verdict and judgement of felony, without benefit of clergy, if the offence be charged to have been committed within *England* or *Wales*, or within the limits of any of the ports thereof, or within four leagues of the coaſt thereof; and ſhall be adjudged, deemed, and taken to be convicted of a capital crime, and ſhall ſuffer the pains of death, and conſiſcation of moveables, as in caſe of a perſon found guilty of a capital crime, and under ſentence for the ſame, if the offence be charged to have been committed within *England*, or within the limits of any of the ports thereof, or within four leagues of the coaſt thereof; and that it ſhall be lawful to and for the court of king's bench, or the juſtices of oyer and terminer, or general gaol delivery, or great ſeſſions for the county or place where ſuch perſon ſhall be, to award execution againſt ſuch offender or offenders, in ſuch manner as if he or they had been convicted and attainted in the ſaid court of king's bench, or before ſuch juſtices of oyer and terminer, or general gaol delivery, or great ſeſſions reſpectively, if the offence be charged to have been committed within *England* or *Wales*, or within the limits of any of the ports thereof, or within four leagues of the coaſt thereof; and that it ſhall

who ſhall commit him.

Order in council to be publiſhed in the Gazette, and tranſmitted to the ſheriffs, &c.

who ſhall proclaim the ſame in two market towns.

Offenders not ſurrendering themſelves, to ſuffer death as felons, &c.

Court of king's bench, &c. to award execution againſt ſuch offenders in like manner as if they had been convicted in the ſaid court, &c.

be lawful for the court of judicary, or the lords of judicary in their circuits, or the judge of the high court of admiralty, to award execution against such offender and offenders, in such manner as if he or they had been found guilty and condemned in the said court of judicary, or in the circuit courts respectively, if the offence shall be charged to have been committed within *Scotland*, or within the limits of any of the ports thereof, or within four leagues of the coast thereof.

Any person harbouring such offenders after the time appointed for their surrender, and being prosecuted within a year after,

shall, on conviction, be guilty of felony, and be transported for seven years.

Not to prevent any judge, justice, &c. from apprehending such offenders by the ordinary course of law.

Persons obstructing officers of the

XIII. And be it enacted by the authority aforesaid, That all and every person and persons, who shall, after the time appointed as aforesaid for the surrender of any person or persons, so charged upon oath with any of the offences aforesaid, shall be expired, harbour, receive, conceal, aid, abet, or succour such person or persons, knowing him or them to have been so charged as aforesaid, and to have been required to surrender him or themselves by such order or orders as aforesaid, and not to have surrendered pursuant to such order or orders, being prosecuted for the same within one year after the offence committed, and lawfully convicted thereof, shall be guilty of felony, and shall be transported as a felon or felons for the space of seven years, in the same manner as felons are or shall be appointed to be transported by virtue of any act or acts already made, or hereafter to be made, touching the transportation of felons; and if any such offender or offenders shall be found at large within *Great Britain* before the expiration of the said term, without lawful cause, he, she or they, shall suffer death as felons, and have execution awarded against him, her, or them, as persons attainted of felony, without benefit of clergy.

XIV. Provided nevertheless, and it is hereby declared, That nothing herein contained shall be construed to prevent or hinder any judge, justice of the peace, magistrate, officer, or minister of justice whatsoever, from taking, apprehending, and securing, such offender or offenders, against whom such information shall be given, and for requiring whose surrender such order in council shall be made as aforesaid, by the ordinary course of law; and in case such offender or offenders, against whom such information and for requiring whose surrender such order in council shall be made as aforesaid, shall be taken and secured, in order to be brought to justice, before the time shall be expired within which he or they shall be required to surrender him or themselves by such order in council as aforesaid; that then, and in such case, no further proceeding shall be had upon such order made in council against him or them so taken and secured as aforesaid, but he or they shall be brought to trial by due course of law; any thing herein contained to the contrary in any wise notwithstanding.

XV. And be it further enacted by the authority aforesaid, That, from and after the first day of *October*, one thousand seven hundred and eighty-four, if any officer or officers of his Majesty's navy, or in the service of the customs or excise, being on

on shore, or going on board, or being on board, or returning from on board, any ship, boat, or vessel, within the limits of any of the ports of this kingdom, or within four leagues from the coasts thereof, shall be hindered, opposed, obstructed, or assaulted, in the due execution of his or their office or duty by any person or persons whatsoever, either in the day-time or night; all and every person or persons so hindering, opposing, obstructing, or assaulting, the said officer or officers in the due execution of his or their duty, and all such as shall act in his or their aid or assistance, shall and may be carried and conveyed before one or more of his Majesty's justices of the peace residing near to the place where such offence shall be committed; and such justice or justices shall, if he or they see cause to commit such person or persons to the next county gaol, there to remain until the next court of oyer and terminer, great session, or gaol delivery, or until such person shall be delivered by due course of law; and in case an indictment shall be found against him or them, he or they shall plead thereto, without having time to traverse the same, as is usual in cases of misdemeanors; and being duly convicted thereof, shall, by order of the said court before whom such offender shall be convicted, be sentenced to hard labour on the river *Thames*, or other navigable river in that part of *Great Britain* called *England*, for any term not exceeding three years, according to the directions of an act passed in the nineteenth year of his present Majesty's reign, intituled, *An act to explain and amend the laws relating to the transportation, imprisonment, and other punishment, of certain offenders*, and as is by the said act directed for the punishment of persons convicted of grand larceny; or such court may order such offender to be committed to the common gaol or house of correction, for any term not exceeding three years.

navy, &c. in the execution of their duty,

may be carried before a justice,

who may commit them.

Penalty on conviction.

19 Geo. 3. c. 74.

XVI. Provided always, and be it enacted, That in case any person shall be brought before any justice of the peace, being charged with having hindered, opposed, obstructed, or assaulted, any officer of the navy, customs, or excise, contrary to this act, and it shall appear that the offence with which such person is charged falls within the provisions of an act passed in the nineteenth year of his Majesty's reign, intituled, *An act for the more effectually preventing the pernicious practices of smuggling in this kingdom; and for indemnifying persons who have been guilty of offences against the laws of the customs and excise, upon the terms therein mentioned*; it shall and may be lawful for such justice, if he thinks fit, instead of proceeding against such offender, according to the provisions of this act, to commit such offender to the county gaol until the next quarter sessions of the peace; and in that case every such offender shall be tried and punished as by the said last recited act is directed, and not otherwise.

Persons charged with obstructing officers, whose offence falls within the provisions of 19 Geo. 3. c. 69. may be committed until the next quarter sessions, &c.

XVII. And, for the speedy and impartial trial of any offence, which by this act is declared to be a felony or misdemeanor, be it enacted,

Offences committed in England and Wales where be tried.

enacted, That every such offence, in case the same shall be committed within *England, Wales*, or the town of *Berwick upon Tweed*, or within the limits of any of the ports thereof, or within four leagues of any part of the coasts thereof, shall and may be enquired of, examined, tried, and determined, before any court or courts of oyer and terminer, great session, or gaol delivery, in any county within that part of *Great Britain* called *England*, or the dominion of *Wales*, in such manner as if the fact had been actually committed within such county; any law, usage, or custom, to the contrary in any wise notwithstanding.

Directions relative to offences committed in Scotland.

XVIII. And be it enacted, That in case any offence, which by this act is declared to be a felony or misdemeanor, shall happen to be committed in that part of *Great Britain* called *Scotland*, or within the limits of any port thereof, or within four leagues of the coasts of the same, information of such offence may be given to any justice of peace, judge ordinary, or judge admiral, depute or substitute, residing nearest the place where such offence may have been committed; who, if he shall see cause, may and shall grant a warrant for committing the person or persons complained of to the common gaol of the county, city, borough, or place, there to lie until he is liberated in due course of law; and such person or persons shall and may be tried before the court of judiciary or circuit courts, or before the judge of the high court of admiralty at *Edinburgh*; or in case the offence be only such as is punishable by hard labour or imprisonment, the same may be tried before the judge ordinary of the county or place where the warrant was granted.

Persons taken before a justice for a misdemeanor, not to be admitted to bail, without entering into a recognizance for their appearance, &c.

XIX. And be it further enacted by the authority aforesaid, That where any person or persons shall, by virtue of this present act, be arrested and taken before any one of his Majesty's justices of the peace, for any offence against this act deemed a misdemeanor, such person or persons shall in no case be admitted to bail, unless he shall first enter into a recognizance, with two sufficient sureties, to his Majesty, his heirs and successors, in the sum of two hundred pounds, and the said sureties in one hundred pounds each, with condition that such person or persons shall appear at the then next ensuing court of oyer and terminer, general gaol delivery, or great sessions, to be holden for such county for which the justice before whom he shall be brought shall act, and answer and plead to any indictment which may be found at or before such court for such misdemeanor; and such recognizance shall forthwith be transmitted to the clerk of assize, or other proper officer of the court of oyer and terminer, gaol delivery, or great sessions, for such county as aforesaid.

No person accused of a misdemeanor in Scotland, to be admitted

XX. And be it further enacted, That where any such misdemeanor is committed in *Scotland*, or within the limits of any port thereof, or within four leagues of the coasts of the same, the person or persons accused thereof, and taken before any justice

justice of the peace, or other judge competent in *Scotland*, shall not be admitted to bail, unless he enter into a recognizance, with two sufficient sureties, to his Majesty, his heirs and successors, in the sum of two hundred pounds, and the said sureties in one hundred pounds each, with condition that he shall stand trial, in the way and manner directed by this act, and according to the forms practised in that part of the kingdom.

to bail, unless he enter into a recognizance to stand trial.

XXI. And be it enacted by the authority aforesaid, That in all cases where any officer or seamen, employed in the service of the customs and excise, shall be killed, maimed, or wounded, in the due execution of his office as aforesaid, it shall and may be lawful for the commissioners of his Majesty's customs and excise respectively, to make such provision for the officers and seamen so maimed and wounded, or for the widows and families of such as shall be killed, as they shall be authorized and impowered to do, by warrant from the lord high treasurer, or commissioners of his Majesty's treasury for the time being.

Officers and seamen wounded in the service of the customs and excise, to be provided for, &c.

XXII. And be it further enacted, That it shall and may be lawful for the commissioners of his Majesty's customs in *England* and *Scotland* respectively, to reward every such officer or officers of his Majesty's navy, customs, or excise, or peace officer, who shall arrest or take any offender or offenders against this act, with such sum or sums of money, as to the said commissioners respectively shall appear fitting and reasonable, out of his Majesty's share of the produce arising by the sale of any goods which have been, or may be seized and condemned.

Commissioners of customs to reward officers who shall take offenders against this act.

XXIII. And it is hereby further enacted by the authority aforesaid, That in case any ship or vessel, liable to seizure or examination by this or any other act of parliament in force, shall not bring to, on being required so to do, or being chased by any cutter or other vessel in the service of his Majesty's navy, having the proper pendant and ensign of his Majesty's ships hoisted, or in the service of his Majesty's revenue of the customs or excise, such cutter or other revenue vessel having a pendant and ensign hoisted with such marks thereon as are now used and worn by vessels in the service of the revenues of customs and excise in a blue field; it shall and may be lawful for the captain or master, or other person having the charge or command of such cutter or other vessel, in the service of his Majesty's navy, customs, or excise, to shoot at or into such ship or vessel which shall not bring to, after such colours shall be hoisted as aforesaid, and a gun shall have been fired by such cutter or vessel as a signal; and such captain or other officer, and every person acting in his aid and assistance, or by his direction, shall be, and is hereby indemnified and discharged from any penalties or actions for damages for so doing; and in case any person or persons shall be wounded, maimed, or killed, by or by means of such firing, and the said officer or officers, or other person acting in his or their aid or assistance,

If suspected vessels shall not bring to, when chased by any cutter in the service of the navy, having the proper pendant hoisted, &c. the commander may shoot into them;

and if he be prosecuted in consequence thereof, he and his aiders shall be admitted to bail.

or by his or their direction, shall be sued, molested, or prosecuted, or shall be brought before any of his Majesty's justices of the peace, or other justices or persons having competent authority, for or on account of such wounding, maiming, or killing, as aforesaid; all and every such justice or justices, person or persons, is and are hereby authorized and empowered, enjoined and required, to admit every such officer and officers, person and persons, so brought before him or them as aforesaid, to bail; any law, usage, or custom, to the contrary notwithstanding.

Vessels not in the service of the navy, or customs or excise, not to hoist such pendant, on penalty of 500 l.

From Oct. 1, 1784, the penalties and restriction in an act 8 Geo. 1, and in 19 Geo. 3. c. 69, relating to certain boats, &c. extended to other boats, &c.

XXIV. And it is hereby further enacted by the authority aforesaid, That if any *British* ship or vessel, not being in the service of his Majesty's navy, or his Majesty's revenue of the customs or excise, shall carry or hoist any such pendant or ensign as is herein-before intencioned, the master or person having the charge or command of every such ship or vessel shall forfeit the sum of five hundred pounds.

XXV. And it is hereby further enacted by the authority aforesaid, That, from and after the said first day of *October*, one thousand seven hundred and eighty-four, the several clauses, penalties, forfeitures, and restrictions in an act made in the eighth year of the reign of his late majesty King *George the First*, and in another act made in the nineteenth year of his present Majesty's reign, *for the more effectual preventing the pernicious practices of smuggling*, so far as they relate to boats, wherries, pinnaces, barges, gallies, or other vessels, rowing or built to row with more than four or six oars respectively, shall extend to all boats, wherries, pinnaces, barges, gallies, and other vessels, which shall exceed twenty-eight feet in length, from the forepart of the stem to the after-side of the sternpost aloft, and the length of which shall be greater than in the proportion of three feet and an half to one foot in breadth; subject nevertheless to the several provisos and exceptions in the said recited acts particularly mentioned, and not altered by this act.

Masters of vessels arriving at any port, &c. in this kingdom, or going outwards in ballast, shall make a true report of their vessels, and answer questions relative to the voyage, &c. put to them by the proper officer; on penalty of 500 l.

XXVI. And it is hereby further enacted by the authority aforesaid, That, from and after the said first day of *October*, one thousand seven hundred and eighty-four, the master of every ship or vessel, arriving at any port, harbour, or creek, in this kingdom, or going outwards from any port, harbour, or creek, in this kingdom, in ballast, shall, if called upon by the collector or comptroller, or other proper officer of the customs, make a just and true report of such ship or vessel, both inwards and outwards, and answer upon oath to such questions relative to the voyage and navigation of such ship or vessel, as shall be put to him by the collector, comptroller, or other proper officer of the customs, at the port, harbour, or creek, where he shall arrive, or from whence he shall depart, under the penalty of forfeiting one hundred pounds for every neglect, omission, or refusal so to do; which oath the said collector, or other proper officer of the customs, is and are hereby authorized and required

quired to administer: provided always, that no master, or other person having the charge or command of any ship or vessel in ballast making report as above required, shall, in respect thereof, be liable to the payment of any fees, other than such as such ship or vessel was subject to pay, previous to the passing of this act.

XXVII. And it is hereby further enacted by the authority aforesaid, That, from and after the said first day of *October*, one thousand seven hundred and eighty-four, if any sort of wine shall be imported or brought into *Great Britain*, or into any port, harbour, haven, or creek thereof, in any ship, vessel, or boat, which shall not exceed the burthen of sixty tons, every such ship, vessel, or boat, with all her tackle, furniture, and apparel, and also all such wine as shall be imported or brought therein, together with the casks and package containing the same, shall be forfeited, and shall and may be seized and prosecuted by any officer or officers of the customs, and condemned and disposed of as herein-after is directed.

XXVIII. And whereas the masters of ships and vessels trading from several foreign parts in Europe to this kingdom, do frequently bring great quantities of prohibited and other goods, which are liable to high duties, for the purpose of smuggling such goods in this kingdom, and if they are prevented, by the vigilance of the officers of the revenue, from landing such goods, before they arrive at the port or place of their discharge, such masters do then report the bales and packages of such goods, contents unknown, to be exported again, and carried back in the same ship or vessel, to gain an opportunity of running the same on shore in this kingdom, or unshipping them into boats and other vessels for that purpose, in their passage outwards, to the great prejudice of the publick revenue and the fair merchants: and whereas goods are often found on board such ships or vessels, of which the master hath not made any report; for remedy whereof, it is hereby further enacted by the authority aforesaid, That, from and after the said first day of *October*, one thousand seven hundred and eighty-four, where the master of any ship or vessel shall report any bales, or other packages of any goods, contents unknown, for exportation in the same ship or vessel, it shall and may be lawful for any officer of his Majesty's customs to open such bales and packages on board such ship or vessel so reported; and examine the contents thereof, or to bring them on shore to his Majesty's warehouse at the custom-house for the port where such report is made, if it shall be necessary, and such officer shall be, and is hereby indemnified, and shall not be liable to any action for so doing; and in case it shall appear on such examination, that such bales or packages, the contents of which shall have been reported unknown as aforesaid, shall contain any goods which are prohibited to be imported, or are liable to forfeiture upon being imported into this kingdom by any law then in force, all such goods, and the package thereof, shall be forfeited; and in case such goods shall not be so prohibited, such goods shall be chargeable with

Wine imported in any vessel not exceeding 60 tons burthen, shall be forfeited, as also the vessel.

Goods reported, contents unknown, may be opened, &c.

and if any prohibited goods are contained therein, they shall be forfeited, &c.

the

the duties due thereon, and shall not be permitted to be exported or delivered for that purpose before the legal duties are regularly paid for the same, without the particular leave and direction of the commissioners of his Majesty's customs, or any three or more of them, in *England* or *Scotland* respectively; and all goods found on board any ship or vessel, of which no report hath been made by the master as aforesaid, shall be forfeited, any law, custom, or usage to the contrary notwithstanding.

Officers of customs to have the like power to seize tea and spirits removing without permits, as the officers of excise.

XXIX. *And whereas by an act, made in the twenty-first year of his Majesty's reign, and other subsequent acts of parliament now in force, the officers of excise are empowered to seize tea and spirits removing without permits, and the vessels, boats, horses, and other cattle or carriages, used in the removing thereof contrary to the said acts; and it is expedient that his Majesty's officers of the customs should have the like power; be it therefore further enacted by the authority aforesaid, That any officer or officers of his Majesty's customs shall have the like power to seize and prosecute any tea or spirituous liquors, removed or found removing contrary to the directions of the said recited act or to any other act now in force, and the vessels, boats, horses, and other cattle and carriages employed in removing the same, as is granted by the said recited act, or any other act or acts in force, to any officer or officers of excise; any thing therein contained to the contrary notwithstanding.*

Seizures of horses, boats, &c. for removing of customable goods, &c. shall be determined by two justices.

XXX. *And whereas all horses, boats, cattle, or carriages, made use of in the removing, carriage, or conveyance of other goods, contrary to the provisions and directions of certain other acts of parliament for preventing frauds in the revenue of customs, in such cases respectively made and provided, are also liable to forfeiture; which horses and carriages are sometimes of small value, and the expence of keeping and maintaining such horses from the time of seizure till they can be condemned by the common course of proceeding, is often more than they are worth, by which the officers are and may be discouraged from making such seizures, to the prejudice of the publick revenue; for remedy whereof, be it further enacted by the authority aforesaid, That all seizures of horses, cattle, carts, waggons, boats, and carriages whatsoever, for being used in the removing, carriage, or conveyance, of any goods, or for any other cause of forfeiture, contrary to this or any other act of parliament relating to or for preventing frauds in the revenue of the customs, shall and may be examined into, proceeded upon, heard, adjudged, and determined, by and before any two of his Majesty's justices of the peace residing near the place where such seizure shall be made, in such manner, and by such and the like rules, as the seizure of any horses, cattle, or carriages, liable to forfeiture for being used in removing, carrying, or conveying of any prohibited or run goods, may be examined into, and proceeded upon, heard, adjudged, and determined by any justice or justices of the peace, by virtue of any act of parliament in force; and such judgment which shall be given in pursuance of this act, are hereby declared to be taken and*

adjudged good, valid, and effectual in the law, and final to all intents and purposes whatſoever, and not liable to any appeal, or any writ or writs of *certiorari*; any law, ſtatute, or uſage to the contrary notwithstanding.

XXXI. And it is hereby further enacted by the authority Part of act 11
aforeſaid, That ſo much of an act of parliament, made in the Geo. 3. c.
twenty-ſiſt year of the reign of his preſent majeſty King George 55. repealed.
the third, or any other act now in force, which enacts, That all tea, which ſhall be ſeized and arreſted by any officer of the cuſtoms for any cauſe of forfeiture, in any part of *England*, dominion of *Wales*, or the town of *Berwick upon Tweed*, or within that part of *Great Britain* called *Scotland*, ſhall be ſent and depoſited in ſome warehouse or warehouses, to be appointed for that purpoſe by the reſpective commiſſioners of the cuſtoms in *England* or *Scotland*, within the city of *London* or *Edinburgh* reſpectively, in order to be there publicly ſold, ſhall be, and the ſame is hereby repealed; and that it ſhall and may be lawful for the ſaid reſpective commiſſioners to cauſe all ſuch tea, ſo ſeized and condemned according to law, to be ſold publicly to the beſt bidder, at ſuch places as they ſhall think proper, in the ſame manner as they might have done, if the ſaid recited act, or any other act requiring ſuch tea to be ſent to *London* or *Edinburgh* for that purpoſe, had not been made; any thing therein contained to the contrary notwithstanding.

XXXII. And it is hereby further enacted by the authority aforeſaid, That, from and after the ſaid firſt day of *October*, one thouſand ſeven hundred and eighty-four, if any officer of his Majeſty's navy, cuſtoms, or exciſe, ſhall make any colluſive ſeizure, or ſhall deliver up, or ſhall make any agreement to deliver up, or not to ſeize any ſhip or veſſel, or any goods liable to forfeiture by this or any other act of parliament, or ſhall directly or indirectly take or receive any bribe, gratuity, recompence, or reward, for the neglect or non-performance of his duty, every ſuch officer therein offending ſhall, for each and every offence, forfeit the ſum of five hundred pounds, and be rendered incapable of ſerving his Majeſty in any office or employment, civil or military; and if any perſon or perſons whatſoever ſhall give, offer, or promiſe to give, any bribe, recompence, or reward to, or make any colluſive agreement with, any officer of the navy, cuſtoms, or exciſe, to do, conceal, or connive at, any act whereby any of the provisions made by this or any other act of parliament relative to his Majeſty's cuſtoms or exciſe, may be evaded or broken, every ſuch perſon or perſons ſhall, for each and every ſuch offence, (whether the ſame offer, propoſal, promiſe, or agreement, be accepted or performed or not), forfeit the ſum of five hundred pounds.

XXXIII. And it is hereby further enacted by the authority aforeſaid, That the ſhips, veſſels, boats, and goods, forfeited by this act, or by the before-mentioned act, made in the nineteenth year of his preſent Majeſty's reign, ſhall and may be ſeized by any officer or officers of the cuſtoms or exciſe; and

Officers making any colluſive ſeizure, or agreeing not to ſeize any ſhip or goods, or taking any bribe,

ſhall forfeit 500 l. and be incapacitated.

and every perſon giving or offering ſuch bribe, ſhall forfeit 500 l.

Veſſels and goods forfeited by this act, or by 19 Geo. 3. cap 69. may be ſeized by any officer of cuſtoms or exciſe.

3 Geo. 3. c.
22.

and the same, and the several forfeitures and penalties hereinbefore inflicted, shall be, one moiety to his Majesty, his heirs and successors, and the other moiety to any officer or officers of the customs or excise who shall sue and prosecute for the same; and shall and may be sued for, prosecuted, condemned, recovered, and applied, (except otherwise directed by this act), in the manner directed by an act made in the third year of the reign of his present Majesty, (intituled, *An act for the further improvement of his Majesty's revenue of customs; and for the encouragement of officers making seizures; and for the prevention of the clandestine running of goods into any part of his Majesty's dominions*); and all such ships, vessels, and boats, shall, upon condemnation, be broken up or destroyed, or used and disposed of in the same manner, and shall be subject to the same rules and restrictions, in all respects not altered by this act, as ships or vessels of the burthen of one hundred tons, or any lesser burthen, are subject and liable to by law.

Condemned
vessels, if fit
for his Ma-
jesty's service,
may be sold to
the officers
appointed by
the admiral-
ty, &c.

XXXIV. Provided nevertheless, in case any ship or vessel, liable to be broken up or destroyed, shall be necessary and fit for the service of his Majesty in his royal navy, it shall and may be lawful for the commissioners of customs or excise respectively, if they think proper, to cause such ship or vessel, instead of being broken up or destroyed, to be sold to the officers appointed by the lord high admiral of Great Britain, or the commissioners of the admiralty, or commissioners of the navy, for that purpose, and to direct one moiety of the produce of such sale, after the charges of condemnation and other charges are deducted, to be paid into the exchequer, to the use of his Majesty, and the other moiety to the officer who sued and prosecuted for the same.

Recital of 23
Geo. 3. c. 70.

XXXV. And whereas, by an act made and passed in the twenty-third year of the reign of his present Majesty, (intituled, *An act for the more effectual preventing the illegal importation of foreign spirits, and for putting a stop to the private distillation of British made spirituous liquors; for explaining such part of the act, imposing a duty upon male servants, as relates to the right of appeal from the justices of the peace; to amend and rectify a mistake in an act of the last session of parliament, with respect to the removal of tea from one part of this kingdom to other parts thereof; and for preventing vexatious actions against officers of excise acting in pursuance of the authority given by excise statutes*), divers regulations are made for the more effectual preventing vexatious suits against the officers of excise, and their assistants, acting under the authorities and powers to them given by the several statutes made for securing the duties of excise and inland duties; which regulations ought to be extended to officers of the customs, and their assistants, acting under the authorities and powers to them given by the several statutes made for securing the duties of the customs; be it enacted, That all and every clause, matter, and regulation, in the said act contained, touching and concerning any action to be brought against

All the regu-
lations in the
recited act
touching ac-

any

any officer or officers of the excise, or against any person or persons acting by his or their order, and in his or their aid, for any thing done in the execution of, or by reason of his or their office, or any proceeding thereupon, shall be extended to all actions to be brought against any officer or officers of the customs, or against any person or persons acting by his or their order, and in his or their aid, for any thing done in the execution of, or by reason of their office, and to all proceedings in every such action, in as full and ample manner as if the officers of the customs had been named and included in the said act.

XXXVI. *And whereas, upon seizures made by officers of the customs and excise, which are returned into the court of exchequer, groundless and vexatious claims are frequently entered in fictitious names by persons who have not any property in the goods, whereby the publick revenue and the officers making such seizures are put to great expence in the prosecution and condemnation thereof; for remedy whereof, be it further enacted by the authority aforesaid, That, from and after the first day of October, one thousand seven hundred and eighty-four, no claim shall be permitted to be entered to any ship, vessel, or goods, seized for any cause of forfeiture, and returned into his Majesty's courts of exchequer in England or Scotland respectively, unless such claim is entered in the true and real name or names of the owner or owners, or proprietor or proprietors of the ship, vessel, or goods so claimed, describing the place of the residence, and the business or profession of such person or persons; and if such person or persons shall reside at London or Edinburgh, or within the liberties thereof, oath shall be made before one of the barons of the said courts of exchequer respectively, that the ship, vessel, or goods so claimed, was really and truly the property of him, her, or them, at the time of such seizure; but if such person or persons shall not be resident in London or Edinburgh, or the liberties thereof, then, and in such case, oath shall be made, in like manner, by the agent or attorney, or solicitor by whom such claim shall be entered, that he has full and legal authority and directions from such owner or proprietor to enter such claim, and that, to the best of his knowledge and belief, such ship, vessel, or goods were, at the time of the seizure thereof, bona fide, and truly, the real property of the person or persons in whose name or names such claim is entered; which oath shall be respectively indorsed and certified on the back of the indenture of appraisement upon which such claim shall be entered; and on failure thereof, the ship, vessel, or goods, shall be absolutely condemned, and judgment shall be entered thereon by default, according to the usual method of proceedings of the court, in the same manner as if no claim had been entered thereto; and every person or persons who shall be convicted of making or taking a false oath to any of the facts herein-before directed or required to be sworn, shall be deemed guilty of perjury,*

tions to be brought against excise officers, and their aiders, extended to officers of the customs, &c.

From Oct. 1, 1784, no claim to be entered to any vessel or goods seized, and returned into the exchequer, unless in the real names of the owners or proprietors thereof. Oath to be made by the owners before a baron of the exchequer, or by the agent or solicitor, as to the property thereof.

Penalty on taking a false oath.

jury, and ſhall be liable to the pains and penalties to which perſons are liable for wilful and corrupt perjury.

XXXVII. *And whereas by an act, made in the third year of his Majesty's reign, (intituled, An act for the further improvement of his Majesty's revenue of customs; and for the encouragement of officers making seizures; and for the prevention of the clandestine running of goods into any part of his Majesty's dominions,) it is, amongst other things, enacted, That every person, upon entry of any claim in the court where any seizure shall be prosecuted, shall be obliged to give security in the penalty of sixty pounds, to answer and pay the costs occasioned by such claim: and whereas the penalty of sixty pounds, in many cases, is not sufficient to answer the costs occasioned by such claim, and the persons who enter into recognizances as the securities for such costs, are very often hired for that purpose, and are not of substance or ability to answer and pay the costs for which they are security, and frequently abscond and are not to be found, so that no part of the costs can be recovered from them, to the diminution of the publick revenue, and to the great loss and discouragement of officers making such seizures; for remedy whereof, it is further enacted by the authority aforesaid, That, from and after the first day of October, one thousand seven hundred and eighty-four, upon the entry of any claim to any ship, boat, or other vessel, or to any goods seized for any cause of forfeiture, the person or persons who shall enter the claim as the owners or proprietors thereof (in case such claimant shall reside in the kingdom of Great Britain,) shall be bound, with two other sufficient securities, in the penalty of one hundred pounds, to answer and pay the costs occasioned by such claim; and if such owner or proprietor shall not reside in Great Britain, then, and in such case, the attorney or solicitor, by whose directions such claim shall be entered, shall, in like manner, be bound with two other sufficient securities in the like penalty, to answer and pay the costs occasioned by such claim; any law, custom, or usage, to the contrary notwithstanding.*

Recital of 3 Geo. 3. c. 22.

From Oct. 1, 1784, every claimant of any vessel or goods seized (if resident in Great Britain, shall be bound) with two sureties, in a penalty of 100l. to pay costs; but, if not resident, his attorney shall be bound in like manner.

Penalties and forfeitures how to be recovered and applied.

XXXVIII. *And be it further enacted by the authority aforesaid, That one moiety of the several penalties and forfeitures in this act mentioned shall be to the use of his Majesty, his heirs and successors, and the other moiety shall be to the use of such person and persons as shall inform, prosecute, or sue for the same, (except in such cases where any other appropriation or distribution of the said penalties is made by this act, or by any other act or acts;) and that all the same penalties and forfeitures shall and may be prosecuted and sued for, and the causes and controversies arising thereupon tried, heard, and determined, in any of his Majesty's courts of record at Westminster, or in the court of exchequer at Edinburgh, respectively, (except where any provision is made to the contrary by this or any other law or statute now in force,) wherein no essoin, protection, wager of law, or more than one imparlance, shall be allowed.*

XXXIX. And

XXXIX. And it is hereby further enacted by the authority of the said Majesty, That if any action or suit shall be brought or commenced against any person or persons, for any matter or thing done by him or them done or executed by virtue of or in pursuance of this act, such action or suit shall be commenced within three months next after the matter or thing done, and shall be laid in the proper county, and the defendant or defendants in such action or suit shall and may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereon, and that the same was done in pursuance of, and by authority of this act; and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action or prosecution, or judgment shall be given against him, her, or them, upon demurrer or otherwise, then such defendant or defendants shall have treble costs awarded to him or them, against such plaintiff or plaintiffs.

Limitation of actions.

General issue.

Treble costs.

XL. And whereas many persons, having incurred heavy penalties by reason of offences committed against the laws for collecting and securing the revenue of customs and excise, are deterred from renouncing their evil courses, though fear of being discovered by some of their associates, and thereby subjected to prosecution, and other persons are confined in prison for penalties and fines set upon them in consequence of their having been committed of such offences, which they are unable to pay, and many, to avoid such penalties and forfeitures, have withdrawn themselves into foreign parts, and process of outlawry may have issued against some of them and whereas it is expedient to extend a pardon and indemnity to persons under the aforesaid circumstances, be it therefore enacted, That no prosecution by bill, plaint, information, or action of debt, shall be commenced for any pecuniary penalty or forfeiture, incurred by reason of any offence committed by any person or persons against any of the provisions of any act or acts for collecting and securing the duties under the management of the commissioners of the customs or excise, committed before the twenty-fourth day of June, one thousand seven hundred and eighty-four, but that the said penalties and forfeitures shall be wholly pardoned and released.

No prosecution to be commenced for any pecuniary penalty incurred by offences against the customs or excise laws, committed before June 24, 1784.

XLI. And be it further enacted, That as to all penalties or fines now due on any former conviction, upon any of the acts aforesaid, or which may become due in consequence of prosecutions now carrying on, the same shall be pardoned and discharged, so far as regards the share or interest of such penalty or fine given to his Majesty; and that all persons against whom any process of outlawry hath been sued out for the matters aforesaid, may be at liberty to apply, by motion, to the court out of which such process issued, to set aside or reverse the same.

His Majesty's share of all fines due on former convictions, discharged

Persons outlawed may apply to the proper court to have the process reversed.

XLII. And be it further enacted, That if any person or persons who shall claim the benefit of this act, shall, after such claim, bring or commence, or cause to be brought or commenced,

if any person, after claiming the benefit of

this act, shall bring an action against any officer of the navy, &c. for any thing done on occasion of the offences intended to be released by this act, such officer may plead the general issue, and recover costs of suit.

Not to extend to offences for which the offender is liable to corporal punishment.

Other matters to which this act shall not extend.

menced, any action, plaint, information, or other prosecution whatsoever, against any officer of his Majesty's navy, or in the service of the customs or excise, or other person who shall have aided or assisted any such officer, for or concerning any act, matter, or thing, done or committed by them, or any of them, on occasion of, or for or by reason or means of any of the offences, frauds, misdemeanors, or other matters or things, intended to be released and discharged by this act, such claim is and shall be deemed to be an absolute discharge and release, of such officer or other person of and from all and every such actions, suits, and prosecutions; and such officer and other person may plead the general issue, and give the special matter in evidence; and the said officer or other person shall recover his costs of suit against the person or persons so bringing or commencing such action or prosecution.

XLIII. Provided always, and be it enacted, That nothing in this act contained shall extend, or be construed to extend, to discharge or release any indictment, outlawry, or other process, for or by reason of any felony, or other indictable offence against the laws for the protection of the revenue of the customs or excise, or of the officers employed therein, for which the offender is liable to corporal punishment, and not to a pecuniary penalty only.

XLIV. Provided also, That nothing in this act contained shall extend, or be construed to extend, to discharge or release any seizure of any kind of goods, wares, or merchandizes, or of ships, vessels, or boats, or other thing whatsoever, or any prosecution now depending for the forfeiture of such goods, wares, or merchandize, ships, vessels, boats, or other thing, under any act or acts of parliament now in force; nor to acquit, release, or discharge, any judgment or judgments where the monies, or other things recovered, have been actually levied or taken in execution before the making of this act; nor to acquit, release, or discharge, any information which has been already entered against any person or persons for the recovery of any penalty, fine, or forfeiture, incurred by any offence committed by him or them against any law now in force made for the security of the revenue of customs and excise, or any verdict or verdicts obtained, or judgment or judgments recovered thereon, in respect to such part thereof as belongs to, or has been usually allowed and paid to the officer of his Majesty's navy, or in the service of the customs or excise, (at whose instance the prosecution is or was carried on,) according to the mode in which such suit or suits hath or have been commenced and carried on; but such information, verdict or verdicts, or judgment or judgments, shall and may be proceeded upon in the name of his Majesty's attorney-general, as originally entered and proceeded upon, without any alteration in the proceedings upon such information, verdict or verdicts, or judgment or judgments, for the recovery, in due course of law, of such part of the penalty or forfeiture incurred, as belongs to or has been usually

usually allowed and paid to fuch officer of his Majesty's navy, or in the fervice of the customs or excife, (at whole inftance the profecution is or was carried on,) according to the mode in which fuch fuit or fuits hath or have been carried on.

XLV. Provided alfo, That this act, or any thing herein contained, fhall not extend, or be conftrued to extend, to acquit, releafe, or difcharge, any perfon or perfons whatfoever from the payment of all customs, duties, and fums of money, due and owing to his Majesty from fuch perfon or perfons, for or upon the lawful importation or entry of any goods, wares, or merchandizes; nor to any debts or fums of money due to his Majesty from any perfon or perfons upon any bond, obligation, or other contract or agreement whatfoever, touching or concerning the lawful importing or landing any goods, wares, or merchandizes, or the customs or other duties due and payable for the fame; nor to any bonds given or entered into for the exportation of any goods from this kingdom to foreign parts, and to prevent the relanding of the fame in this kingdom; nor to any bonds given for landing any goods coaftwife within this kingdom; nor to any bonds or obligations given by any officer or officers of his Majesty's navy, or in the fervice of the customs or excife, to his Majesty, or any of his predeceffors, or to any other perfon or perfons for the ufe of, or in truft for his faid Majesty, or his predeceffors; nor to any debts, dues, or demands, due or owing to his faid Majesty, for or in refpect of any fum or fums of money by him, or any of his royal predeceffors, at any time paid upon any debenture or debentures, certificate or certificates, where any fuch debenture or certificate was wrongfully or fraudulently obtained, or where the fame debenture afterwards became void by any relanding of the goods therein mentioned, or by any other way or means whatfoever; nor to any other debts, dues, or demands, for or in refpect of the customs, excife, and other duties chargeable on any goods, wares, or merchandizes, concerning which there is any action, information, fuit, or profecution now depending in any of his Majesty's courts at *Westminter*, or elfewhere.

This act not to extend to customs due to his Majesty for the lawful importation of merchandize;

nor to debts due on fundry bonds herein mentioned;

nor to debts relative to debentures, &c.

XLVI. Provided alfo, That nothing in this act contained fhall extend, or be conftrued to extend, to acquit, releafe, or difcharge, any commander, captain, or other officer employed in the fervice of the *East India* company, or to any tradefman, manufacturer, or fhopkeeper, having a known refidence in this kingdom, from any penalty or forfeiture which he may be liable to by virtue of any law now in force for any offence committed in the courfe of the trade or manufacture in which he is concerned, contrary to any act or acts of parliament made for fecurity of the revenue of customs or excife.

Not to extend to officers in the *East India* company's fervice, &c.

XLVII. Provided alfo, That all perfons who have compounded with, or agreed or offered to pay, any fum of money by way of compofition or charges to his Majesty, or to the lords commissioners of his Majesty's treasury, or to the commissioners of the customs or excife for the time being, on his Majesty's behalf,

Compofitions for penalties to be made good, or the parties excluded from all benefit of this act.

behalf, for or in respect of any of the above mentioned offences, or for the forfeitures or penalties arising thereby, shall make good such compositions, agreements, and offers, as have been by them respectively made; or in default thereof, all and every such persons shall be excluded and deprived of and from all benefit and advantage of this act.

This act may be pleaded in discharge of any thing pardoned thereby.

XLVIII. And be it further enacted, That any person or persons may plead this act for his or their discharge of or for any thing that is by virtue of this act pardoned, discharged, or granted; or shall and may apply for such discharge in a summary way, by motion, to the court of exchequer; which court shall make such order touching the staying or discharge of any such suit, or of any person imprisoned by reason thereof, as to the said court shall seem meet.

Persons taking benefit of this act, who have commenced any actions against officers of the navy, &c. shall release such actions, and stay all proceedings thereon.

XLIX. Provided always, and be it further enacted by the authority aforesaid, That all and every person and persons who shall take, receive, or be intitled to any benefit or advantage by virtue of this present act of indemnity, either by pleading or insisting on the same in any court of justice, or before any of the barons of the court of exchequer, in a summary way, or otherwise, and who hath or shall (before, he, she, or they shall claim the benefit of this present act) have brought, commenced, or prosecuted any action, plaint, or information, indictment, or other prosecution whatsoever, against any officer of his Majesty's navy, or in the service of the customs or excise, or against any person or persons who shall or may have been aiding or assisting to any such officer, for or concerning any matter, cause, or thing, done or committed by such officer, or by any person or persons aiding or assisting him, on occasion or for or by reason or means of any of the offences, trespasses, frauds, misdemeanors, or other matters or things by this act intended to be released and discharged, shall, before such time as he, she, or they shall be admitted to make such plea as aforesaid, or to take any benefit or advantage of this act, absolutely release and discharge such action or actions, discontinue and cause to be staid all proceedings in all and every such informations, indictments, and other prosecution and prosecutions, brought or commenced as aforesaid.

C A P. XLVIII.

An act for better securing the duties on starch and soap.

Preamble.

Act 20 Anne,
c. 26.

WHEREAS the fraudulent practice of making starch in unentered places, without paying the duties imposed thereon by law, has very much increased of late, to the great loss of the revenue, and to the injury of the fair traders: and whereas by an act made in the tenth year of the reign of our late sovereign Queen Anne, amongst other things, for laying new duties on starch, all makers of starch in Great Britain are required to give notice in writing, at the office for the duties on starch next to the place where such starch

ſtarch-ſhall be made, of their reſpective names and places of abode, and of every workhouſe, ſtorehouſe, room, and other place by them uſed in and for the making, drying, and keeping of ſtarch, or of flour, meal, or other materials proper to be made into ſtarch, under a penalty of fifty pounds: and whereas by an act made in the ſixteenth year of the reign of his preſent Maſeſty, for better 19 Geo. 3. c. 40.
regulating the duties on ſtarch, every maker of ſtarch is required to deliver to the officer who ſurveys his ſtarch-houſe, an account in writing, containing as well an exact deſcription of every room and place by him made uſe of for the making, drying, or keeping of ſtarch, as alſo of every veſſel or utenſil uſed by him for the making of ſtarch, before he preſumes to uſe the ſame, under a penalty of fifty pounds: and whereas the ſaid penalties have been found ineffectual, and not ſufficient to prevent the fraudulent and ſecret making of ſtarch, by ill-diſpoſed perſons in obſcure places, without paying the duties for the ſame: for remedy thereof, be it enacted by the King's moſt excellent maſeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That, from and after the twentieth day of September, one thouſand ſeven hundred and eighty-four, no maker of ſtarch, within Great Britain ſhall erect, ſet up, alter, change, enlarge, or make uſe of, any workhouſe, ſtorehouſe, room, or other place, for the making, drying, or keeping of ſtarch, or for the keeping any flour, or meal, or other materials proper to be made into ſtarch, or uſe any fat, trough, kiln, ſtove, box, utenſil, or other veſſel, for the making of ſtarch, without firſt giving notice in writing thereof, and of his or her reſpective name or place of abode, or unleſs ſuch notice thereof ſhall have been before given in writing at the office for the ſaid duties on ſtarch next to the place where ſuch ſtarch ſhall be made; and if any maker of ſtarch within Great Britain ſhall erect ſet up, alter, enlarge, or make uſe of, any workhouſe, ſtorehouſe, room, or other place, for the making, drying, or keeping of ſtarch, or for the keeping any flour, meal, or other materials proper to be made into ſtarch, or ſhall uſe any fat, trough, kiln, ſtove, box, utenſil, or other veſſel, for the making of ſtarch, without giving ſuch notice thereof, and of his or her name and place of abode as aforeſaid, or without delivering to the officer who ſurveys his or her ſtarch-houſe, an account in writing, containing as well an exact deſcription of each and every room and place by him or her made uſe of for the making, drying, or keeping of ſtarch, as alſo of each and every veſſel or utenſil by him or her made uſe of for the making of ſtarch; then, and in every ſuch caſe, on penalty of the offender therein, for every ſuch offence, ſhall forfeit the ſum of two hundred pounds.

From Sept. 20, 1784, no ſtarchmaker to erect, alter, or uſe, any workhouſe, &c. for making or keeping of ſtarch, or the materials thereof, or uſe any utenſil, without giving proper notice to the next office;

II. *And, in order to deter perſons from aſſiſting the proprietors of private and unentered ſtarch-houſes in carrying on their fraudulent practices, be it further enacted by the authority aforeſaid, That, from and after the ſaid twentieth day of September, one thouſand ſeven hundred and eighty-four, when any officer or officer* From Sept. 20, 1784, perſons aſſiſting in making ſtarch in un-

entered
house, to
forfeit 30l.

Officers may
arrest such
persons, and
convey them
before a jus-
tice, &c.

If offender
refuse to pay
the penalty,
he may be
committed.

Penalty on a
second offence.

From Sept, 20,
1784, the
name of every
starch-maker
to be painted
over the door,
or on the

cers of excise shall discover that the making of starch is carried on in any private workhouse, room, or place, whereof no such notice as aforesaid has been given at the next office for the duties on starch, and shall at the same time discover in the workhouse, storehouse, room, or place, where such private making of starch shall be so discovered, any person or persons knowingly assisting, or any ways concerned in carrying on such private making of starch, every such person or persons so discovered shall forfeit and lose the sum of thirty pounds, over and above all penalties and forfeitures that the proprietor or maker of starch shall be liable to; and it shall be lawful for the officer and officers of excise, and all other persons acting in their aid, to stop, arrest, and detain, all and every the person and persons so discovered in such workhouse, storehouse, room, or place, and to convey the said person or persons before one or more justice or justices of the peace for the county, riding, division, city, or liberty respectively, wherein such persons shall be so discovered as aforesaid; and it shall be lawful for such justice or justices of the peace respectively, on confession of the party, or on proof by the oath of one or more credible witness or witnesses, to convict the person or persons so discovered as aforesaid; and the person or persons so convicted shall, immediately on such conviction, pay the said sum of thirty pounds into the hands of the officer who shall have conveyed such offender before such justice or justices of the peace, to be applied in manner herein-after directed; and on such offender or offenders refusing or neglecting to pay the said sum of thirty pounds, the justice or justices so convicting as aforesaid shall, by warrant or warrants under his or their hand and seal, or hands and seals, commit the offender or offenders to the house of correction for the said county, riding, division, city, or liberty respectively, there to remain and be kept to hard labour for the space of six months, to be reckoned from the day of such conviction, and the person or persons so committed shall not be discharged until he, she, or they shall have paid the said sum of thirty pounds, or until the expiration of the said six months; and in case the person or persons so convicted shall be again discovered in any workhouse, storehouse, room, or place, where the making of starch shall be so privately carried on, assisting, or otherwise concerned in carrying on such private making of starch, he, she, or they, so again offending, shall, upon the like conviction, forfeit and pay, for such second offence, the sum of sixty pounds, and shall be committed to the house of correction in manner aforesaid, there to remain for and during the term of one year, or until the said sum of sixty pounds shall be paid.

III. *And, for the further preventing the clandestine making of starch*, be it also enacted by the authority aforesaid, That, from and after the said twentieth day of September, one thousand seven hundred and eighty-four, every person who shall make starch within Great Britain shall cause to be painted, in large legible letters of at least three inches in length, over the outward door,

door, or in ſome conspicuous part of the front of his or her ſtarch-house, the christian and ſurname of ſuch ſtarch-maker, with the addition of the word *Starch-maker*; and if any perſon ſhall make ſtarch within *Great Britain* without having his or her christian and ſurname, with the addition of the word *Starch-maker* ſo as aforeſaid painted over the outward door, or in ſome conspicuous part of the front of his or her ſtarch-house, he or ſhe ſo offending ſhall forfeit the ſum of one hundred pounds.

on penalty of 100l.

IV. And be it further enacted by the authority aforeſaid, That, from and after the ſaid twentieth day of *September*, one thouſand ſeven hundred and eighty-four, when any ſtarch, exceeding the quantity of twenty-eight pounds weight, ſhall be removed or carried by land or by water, the word *Starch* ſhall be painted or marked in legible letters, of at leaſt three inches in length, on every cheſt, caſk, ſack, or other package wherein ſuch ſtarch ſhall be contained; and any ſtarch, exceeding the quantity of twenty-eight pounds weight, which ſhall be found removing or carrying, or removed or carried, by land or by water, in any cheſt, caſk, ſack, or other package, not having the word *Starch* ſo painted or marked thereon, after the ſaid twentieth day of *September*, one thouſand ſeven hundred and eighty-four, ſhall be forfeited, together with the cheſt, caſk, ſack, or other package containing the ſame, and the boat or ſhip, horſes or other cattle, waggon, cart, or other carriage, made uſe of in removing or carrying the ſame.

From Sept. 20, 1784, no ſtarch exceeding 28 pounds ſhall be removed, unleſs the word *Starch* be legibly marked on the package;

on penalty of forfeiture thereof, with the cattle and carriages, &c.

V. And be it further enacted by the authority aforeſaid, That, from and after the ſaid twentieth day of *September*, one thouſand ſeven hundred and eighty-four, if any dealer in, or ſeller of ſtarch, ſhall at any time knowingly receive into his cuſtody any quantity of ſtarch, exceeding twenty-eight pounds weight, not having the word *Starch* ſo as aforeſaid painted or marked on the cheſt, caſk, ſack, or other package containing the ſame, he or ſhe ſo offending ſhall forfeit the ſum of two hundred pounds.

Dealers receiving more than 28 pounds of ſtarch not marked as aforeſaid, forfeit 200l.

VI. And be it further enacted by the authority aforeſaid, That, from and after the ſaid twentieth day of *September*, one thouſand ſeven hundred and eighty-four, if any maker of ſtarch ſhall obſtruct or hinder any of the officers for the duties upon ſtarch in the execution of any of the powers and authorities given to him or them by this or any other act for the aſcertaining or ſecuring the duties upon ſtarch, the perſon or perſons offending therein ſhall, for every ſuch offence, forfeit and loſe the ſum of one hundred pounds.

Starch-makers obſtructing officers, to forfeit 100l.

VII. And whereas, notwithstanding the laws now in force for ſecuring the duties on ſoap, many frauds are ſtill frequently practiſed, to the great loſs of the revenue, and to the injury of the fair trader, and ſome better regulations in the manner of carrying on the ſoap-making buſineſs are ſtill wanting; for remedy thereof, be it enacted by the authority aforeſaid, That, from and after the twentieth day of *September*, one thouſand ſeven hundred and eighty-four, all and every the officers of exciſe ſhall at all times, by

From Sept. 20, 1784, officers may, by day or by night, enter the

house, boiling house, &c. of any soap-maker, and take an account of the soap made, and also of the materials for making thereof.

day or by night, and without waiting for the presence of a constable or peace officer, be permitted, upon his or their request, to enter into the house, boiling-house, warehouse, or other place whatsoever, belonging to or used by any maker or makers of any soap whatsoever, and, by gauging or weighing of the soap, or otherwise, as to such officer shall seem most proper and convenient, to take an account of the just quantity of the soap which shall have been made by such maker or makers of soap from time to time; and also to take an account of all materials for the making of soap, in the possession or custody of such maker or makers of soap; and all and every the officers of excise shall be permitted to stay and remain in such house, boiling-house, warehouse, or other place, belonging to or used by such maker or makers of soap, or in any of such places, so long as such officer or officers shall think fit.

From Sept. 20, 1784, no soap-maker to have any conveyance to or from any copper or pan, except one moveable pump; nor any cock or hole in the side or curb, &c. of his boiler, nor use any syphon,

VIII. *And, for the better preventing the frauds frequently committed by divers makers of soap*, be it further enacted by the authority aforesaid, That, from and after the said twentieth day of September, one thousand seven hundred and eighty-four, no maker of soap shall have or keep any pipe or other conveyance from or to any copper or pan made use of in the boiling or making of soap, save and except one moveable pump for taking out salt or spent lees, which pump shall be taken out of such copper or pan before the copper or pan shall be locked down by the officer; and that no maker of soap shall have any cock or perforation or hole in the side or curb, or bottom or cover of his or her boiler or copper, nor shall have any part of the curb moveable, nor shall use any syphon, crane, or trinket, but shall take out all lees, soap, or other ingredients, contained in the said copper or boiler, by a pump, or by a ladle only; on pain that any maker of soap, having or keeping any pipe or other conveyance from or to any copper or pan made use of in the boiling or making of soap, save and except such pump as aforesaid, or having any cock or perforation or hole in the side or curb, or bottom or cover of his or her boiler or copper, or having any part of the curb moveable, or using any syphon, crane, or trinket, shall forfeit and lose, for every such offence, the sum of five hundred pounds: provided always, That it shall be lawful for every maker of soap to have, in the cover of his or her copper or boiler, small holes, not exceeding one eighth of an inch in diameter, for the steam to escape through the same.

on penalty of 500l.
Provido.

From Sept. 20, 1784, the cover and furnace door, &c. to be kept locked by the officer, except when at work, &c.

IX. *And be it further enacted by the authority aforesaid*, That, from and after the said twentieth day of September, one thousand seven hundred and eighty-four, the cover and furnace door and ash-hole door of every copper, pan, or other utensil used by any maker of hard soap for the boiling or making of soap, shall, and they are hereby required to be securely locked, fastened, and sealed down, by the officer or officers of excise who survey such trader, at all times, except when such copper, pan, or other utensil, shall be at work, or shall be opened for repairing the same, or for the inspection of an officer or officers

of excise; and proper locks and keys, and all other necessary fastenings, for securing and sealing the said covers and furnace and ash-hole doors of every such copper, pan, or other utensil, shall be provided by the respective surveyors and supervisors of excise of the respective districts or divisions in which such makers of soap shall respectively reside, at the expence of the respective makers in each division or district; and whenever such maker of soap shall be desirous of opening such copper, pan, or other utensil, or the furnace or ash-hole door thereof, and shall have given to the officer of excise of the division or district, twelve hours notice thereof, if such maker of soap shall reside within the limits of the chief office of excise in *London*, or twenty-four hours notice thereof, if such maker of soap shall reside in any other part of *Great Britain*, then the officer of excise shall attend to open such copper, pan, or other utensil, or the furnace or ash-hole door thereof; and if, by any means, art, device, or contrivance whatsoever, any person shall open any such copper, pan, or other utensil, or the furnace or ash-hole door thereof, after the same shall have been locked and secured as aforesaid, before the same shall have been unlocked and opened by the officer of excise, or shall wilfully damage or hurt any such lock or other fastening, every such person shall, for every such offence respectively, forfeit and lose the sum of one hundred pounds.

Locks and keys to be provided by the surveyors, &c. at the expence of the makers.

Any person clandestinely opening any copper, &c. or damaging such fastening, shall forfeit 100l.

X. And be it further enacted by the authority aforesaid, That, from and after the said twentieth day of *September*, one thousand seven hundred and eighty-four, if any maker or makers of soap shall obstruct or hinder any officer of excise in the execution of the powers or authorities given to him or them by this or any other act for the ascertaining or securing the duties upon soap, the person or persons offending therein shall, for every such offence, forfeit and lose the sum of fifty pounds.

Soap-makers obstructing officers to forfeit 50l.

XI. And, for the better preventing the clandestine making of soap, without payment of the duties for the same; be it further enacted by the authority aforesaid, That, from and after the said twentieth day of *September*, one thousand seven hundred and eighty-four, it shall be lawful for any officer or officers of excise to take an account from time to time, as often as he or they shall think fit, by gauging, weighing, or otherwise, as to him or them shall seem most proper and convenient, of all tallow, oil, rosin, and grease of every kind, and of all materials for making soap, which any maker of soap shall at any time have in his possession; and such maker of soap shall provide proper scales and weights, and assist the officer in weighing and taking such account, on pain of forfeiting twenty pounds: and in case such officer shall find any decrease of any such materials for making soap, and shall not receive a satisfactory account thereof, such officer shall charge such maker of soap with duties for such decrease, according to the rates and proportions following; that is to say,

From Sept. 20, 1784, officers to take account, as often as they think fit, of all materials for making soap in the maker's possession.

Soap-maker to provide scales, &c. and assist the officer in weighing, &c. on penalty of 20l.

Duties to be charged for a decrease of the following materials.

For

Oil:

For every fourteen hundred weight, or two hundred and ten gallons of oil, so missing, such officer shall charge any maker of hard soap with the duties on twenty hundred weight of hard soap:

Rendered tallow:

For every thirteen hundred weight of rendered tallow so missing, such officer shall charge any maker of hard soap with the duties on twenty hundred weight of such soap:

Kitchen stuff and tallow:

For every thirteen hundred weight and two quarters of kitchen stuff and tallow so missing, such officer shall charge any maker of hard soap with the duties on twenty hundred weight of such soap:

Tallow, rosin, &c.

For every fourteen hundred weight of tallow, rosin, and oil, so missing, such officer shall charge any maker of yellow, brown, or rosin soap, with the duties on twenty hundred weight of such soap.

Soap-makers to give proper notice to the officer before they charge their copper.

What shall be deemed proper notice.

On failure of giving such notice, to forfeit 100l. &c.

XII. And be it further enacted by the authority aforesaid, That every maker and makers of soap, before he, she, or they shall charge his, her, or their copper or boiler with any materials for making of soap, shall give to the officer of the division or place where such soap is intended to be made, notice in writing of the particular time and hour when such maker of soap intends to charge his or their copper or boiler, as herein-after is mentioned; (that is to say), If such soap is intended to be made at any place within the limits of the head office of excise in London, then such notice shall be by the space of twelve hours next before the time of charging such copper or boiler; and if such soap is intended to be made at any other place, out of the limits aforesaid, then such notice shall be by the space of twenty-four hours next before the time of charging such copper or boiler; on pain of forfeiting and losing the sum of one hundred pounds at every time when any maker of soap shall begin to charge his or her copper or boiler without first giving such notice as aforesaid: and if such maker of soap shall not begin to charge his or her copper or boiler within the space of three hours next after the particular time or hour mentioned in such notice, then such notice shall be void; and every maker of soap who, after the expiration of the said time, shall begin to charge his or her copper or boiler, without having first given a new or other like notice as aforesaid, shall forfeit and lose the sum of one hundred pounds.

Soapmaker to weigh, in presence of the officer, all the materials with which he intends to charge his copper, &c.

XIII. And be it further enacted by the authority aforesaid, That every maker of soap shall, before charging his or her copper or boiler with any materials for making of soap, weigh, in the presence of the officer, all the rosin, tallow, grease, or other materials with which such maker of soap intends to charge his or her copper or boiler, and all such rosin, tallow, grease, or other materials, shall be put into the copper or boiler in the presence of the officer; and in case the quantity of hard soap, afterwards produced therefrom, shall be found by the gauge in the frames to be less than ought to have been produced according

ing to the rates and proportions herein-before mentioned, then the deficiency therein shall be charged with the duties thereupon, according to the rates and proportions herein-before mentioned: provided always, That if any maker of soap shall have charged the copper or boiler with rough fat or rough kitchen grease, when eight pounds of rough fat shall be deemed equal to seven pounds of tallow, and five pounds of rough kitchen grease shall be deemed equal to four pounds of clean kitchen grease.

XIV. And be it further enacted by the authority aforesaid, That no maker or makers of hard soap shall, after the twentieth day of September, one thousand seven hundred and eighty-four, sell any hard soap but in the shape or form of cakes or bars, or what is commonly called or known by the name of *Ball Soap*; and that all scraps and parings of hard soap shall be returned into the copper or boiler, in the presence of the officer immediately after the soap that has been put into the frames from any one boiling shall have been cut up for sale; on pain that every maker of hard soap, selling any such hard soap in any other form than as aforesaid, or not returning all scraps or parings of hard soap into the copper or boiler, in the presence of the officer, immediately as aforesaid, shall forfeit the sum of one hundred pounds for each offence.

No soapmaker after Sept. 20, 1784, to sell any hard soap but in the shape of cakes or bars; and all scraps and parings shall be returned into the copper, in presence of the officer; on penalty of 100l.

XV. And be it further enacted by the authority aforesaid, That all and every the powers, authorities, directions, rules, methods, penalties and forfeitures, clauses, matters and things, which in and by an act, made in the twelfth year of the reign of King Charles the Second; (intituled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knights service, and purveyance, and for settling a revenue upon his Majesty in lieu thereof*), or by any other law now in force relating to his Majesty's revenue of excise, or inland duties under the management of the commissioners of excise, are provided, settled, or established, for securing, enforcing, managing, raising, levying, collecting, paying, mitigating or recovering, adjudging or ascertaining the duties or penalties thereby granted, and for preventing, detecting, and punishing frauds relating thereto (other than in such cases for which other penalties or provisions are prescribed by this act), shall be exercised practised, applied, used, and put in execution, in and for the managing, raising, levying, collecting, mitigating, adjudging, ascertaining, recovering, and paying the several duties hereby granted, as fully and effectually, to all intents and purposes, as if all and every the said powers, authorities, rules, directions, methods, penalties, forfeitures, clauses, matters, and things, were particularly repeated and again enacted in this present act.

The powers and penalties in act 12 Car. 2. c. 24, &c. relative to excise duties, shall be applied in executing this act.

XVI. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, imposed by this act, shall be sued for, recovered, levied, or mitigated, by such ways, means, and methods, as any fine, penalty, or forfeiture, is or may be sued for, recovered, levied, or mitigated, by any law

Penalties and forfeitures how to be recovered and applied.

or laws of excise, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland*, respectively; and that one moiety of every such fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall inform, discover, or sue for the same.

Limitation of actions.

XVII. And be it further enacted by the authority aforesaid, That if any action or suit shall be brought or commenced against any person or persons for any thing by him or them done in pursuance of this act, such action or suit shall be commenced within three months next after the matter or thing done; and shall be laid in the proper county; and the defendant or defendants in such action or suit may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon; and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action or prosecution, or judgment shall be given against him, her, or them, upon demurrer or otherwise, then such defendant or defendants shall have treble costs awarded to him, her, or them, against such plaintiff or plaintiffs.

General issue.

Treble costs.

C A P. XLIX.

An act for granting additional duties upon raw and thrown silk imported into Great Britain, and upon lead exported from Great Britain into parts beyond the seas; and for allowing a drawback upon the exportation of silks, and stuffs mixed with silk.

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, have freely and voluntarily resolved to give and grant unto your Majesty the several rates, duties, and impositions herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twentieth day of *September*, one thousand seven hundred and eighty-four, there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, for and upon the goods herein-after mentioned, over and above all customs, subsidies, and duties, already imposed thereon, the several and respective duties following; that is to say,

From Sept. 20, 1784, the following additional duties to be paid to his Majesty; videlicet,

Raw silk imported, 2s. 9d. per pound:

For every pound of raw silk, each pound containing twenty-four ounces, imported or brought into the kingdom of *Great Britain*, the sum of two shillings and nine-pence:

For

For every pound of thrown silk, each pound containing six-
teen ounces, imported or brought into the kingdom of *Great Britain*, the sum of two shillings : Thrown silk,
1s. per pound.

And for and upon all lead, cast and uncast, the fodder or
ton, containing twenty hundred weight avoirdupois, which shall
be exported from *Great Britain* to any parts beyond the seas,
the sum of one pound, one shilling; and after those rates for
any greater or less quantities :

And the said duties shall be also subject and liable to an addi-
tional impost or duty of five pounds *per centum* and five pounds
per centum thereon, in the same manner, and under the same
regulations, as the said duties were imposed by two several acts
of parliament, made in the nineteenth and twenty-second years
of his Majesty's reign, for granting to his Majesty additional duties
upon the produce of the several duties under the management of the re-
spective commissioners of the customs and excise in *Great Britain*. Duties liable
to the addi-
tional 5 per
cents thereon,
imposed by
19 Geo. 3. c.
25, and 22
Geo. 3. c. 66.

II. And, to promote and encourage the silk manufactures in this
kingdom, and the exportation thereof into foreign parts, it is expe-
dient that a further premium or bounty should be allowed thereon, in
proportion to the additional duties granted by this act on the importa-
tion of raw and thrown silk; he it therefore enacted, That, from
and after the first day of *March*, one thousand seven hundred
and eighty-five, over and above the former bounties allowed on
the exportation of the several articles herein-after specified, there
shall be allowed and paid to the exporter thereof,

From *March*
1, 1785, addi-
tional boun-
ties to be al-
lowed on ex-
portation of
the following
articles of
*British manu-
factures*:

For all ribbons and stuffs of silk, (except gauzes), made in
Great Britain, the sum of two shillings for every pound weight
avoirdupois :

Silk ribbons
and stuffs, 2s.
per pound :

For all silks and ribbons, made in *Great Britain*, of silk mix-
ed with gold or silver, the sum of two shillings and eight-pence
for every pound weight avoirdupois :

Silks and rib-
bons mixed
with gold, &c.,
2s. 8d. per
pound :

For all silk stockings, silk gloves, silk fringes, silk laces,
stitching or sewing silk, made in *Great Britain*, the sum of one
shilling and nine-pence for every pound weight avoirdupois :

Silk stock-
ings, &c. 1s.
9d. per pound :

For all stuffs of silk and program yarn, made in *Great Britain*,
the sum of sixpence for every pound weight avoirdupois :

Stuffs of silk
and program,
6d. per pound :

For all stuffs, made in *Great Britain*, of silk mixed with incl
or cotton, the sum of eight-pence for every pound weight avoi-
rduois :

Of silk and
cotton, 8d.
per pound :

For all stuffs, made in *Great Britain*, of silk and worsted, the
sum of four-pence for every pound weight avoirdupois; and in
those proportions for any greater or lesser quantity :

Of silk and
worsted, 4d.
per pound.

Which said several allowances shall be paid in the same manner
and form, by the same rules, regulations, and restrictions, un-
der the same securities, and subject to the same penalties and
forfeitures, as the former bounties granted on the like articles
are paid and allowed, and are subject and liable to by any act
or

or acts of parliament in force, except where any alteration is made by this act.

Duties to be under the management of commissioners of customs;

and levied and recovered in the same manner as the former duties.

III. And it is hereby further enacted by the authority aforesaid, That the said duties herein-before granted shall be under the management and direction of the commissioners of his Majesty's customs in *England* and *Scotland* respectively, and shall be paid down in ready money, without any discount or deduction whatsoever, and shall be drawn back upon the exportation of such foreign goods as paid the duties hereby granted upon the importation thereof; and the said duties shall be raised, levied, collected, recovered, and paid, and the drawbacks allowed in the same manner and form, and under the like restrictions, penalties, and forfeitures, and by such rules, ways, and as the former duties and drawbacks for such goods are respectively raised, levied, collected, recovered, and paid, and allowed (except where any alteration is made by this act), as fully, to all intents and purposes, as if the several clauses, powers, directions, penalties, and forfeitures, in any act or acts of parliament now in force relating thereto, were particularly repeated and again enacted in the body of this present act; and the said duties hereby granted, shall (the necessary charges of management excepted) be paid into the receipt of his Majesty's exchequer, for the uses and purposes in this act directed.

A book to be provided by the auditor of the exchequer, in which the duties shall be entered separate from all others. Application thereof.

IV. And be it further enacted by the authority aforesaid, That there shall be provided and kept, in the office of the auditor of the said receipt of exchequer, a book or books, in which all the monies arising from the said several rates and duties, and paid into the said receipt as aforesaid, shall be entered, separate and apart from all other monies paid and payable to his Majesty, his heirs and successors, upon any account whatsoever; and the said money so paid into the said receipt of exchequer as aforesaid, except so much thereof as is herein-before otherwise appropriated, shall, together with such other rates, duties, and revenues, as shall be granted by any act or acts of this session of parliament for this purpose, be a fund for the payment of the several annuities, and all such other charges and expences as are directed to be paid and payable, pursuant to an act of this present session of parliament, (intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery*).

If the duties granted by this and other acts of the present session shall not be sufficient to pay the annuities granted by the lottery act,

V. And it is hereby enacted by the authority aforesaid, That if at any time or times it shall happen that the produce of the several duties granted by this act, together with the several other duties, revenues, and taxes, granted in this session of parliament, for the payment of the several annuities of three pounds *per centum*, and of four pounds *per centum*, and of five shillings and sixpence *per centum*, in respect of six millions borrowed in pursuance of an act of this present session of parliament, (intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery*), shall not be sufficient to pay and discharge the several annuities of three pounds *per centum*, and

of four pounds *per centum*, and also the said annuity of five shillings and sixpence *per centum*, to continue for seventy-five years and six months, from the fifth day of July, one thousand seven hundred and eighty-four, and then to cease, together with the other charges and expences attending the said respective annuities, to be satisfied and paid out of the same at the end of any one either of the half-yearly days of payment at which the same are directed by the said act to be paid; then, and so often and in every such case, such deficiency or deficiencies shall and may be supplied out of any of the monies which at any time or times shall be or remain in the receipt of the exchequer, of the surpluses, excesses, overplus monies, and other revenues composing the fund commonly called *The Sinking Fund*, (except such monies of the said sinking fund as are appropriated to any particular use or uses by any former act or acts of parliament in that behalf); and such monies of the said sinking fund shall and may be, from time to time, issued and applied accordingly; and if at any time or times before any monies of the said fund to be established as aforesaid shall be brought into the exchequer as aforesaid, there shall happen to be a want of money for paying the several annuities as aforesaid, which shall be actually incurred and grown due at any of the half-yearly days of payment before mentioned, that then, and in every such case, the money so wanted shall and may be supplied out of the monies of the sinking fund, (except as before excepted), and be issued accordingly.

the deficiency shall be supplied out of the sinking fund:

VI. Provided always, and be it enacted by the authority aforesaid, That whatever monies shall be issued out of the said sinking fund, shall, from time to time, be replaced by and out of the first supplies to be then after granted in parliament.

which shall be replaced out of the first supplies.

VII. Provided always, and be it enacted by the authority aforesaid, That in case there shall be any surplus or remainder of the monies arising by the said fund, after the said several and respective annuities, and also the annuities granted in respect of the money due for bills payable in the course of the navy and victualling offices, and for transports, and also for ordnance debentures, converted into annuities in pursuance of an act made in this session of parliament, and all arrears thereof, are satisfied, or money sufficient shall be reserved for that purpose, such surplus or remainder shall, from time to time, be reserved for paying the interest of the remaining navy bills, and for payment of the ordnance debentures, as the same shall respectively become due and payable; and also for the payment of any annuity or annuities which may hereafter be created for the discharge of the said navy bills and ordnance debentures respectively; and the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, are or is hereby authorised and empowered to issue and apply the same accordingly.

Surplus, if any, how to be applied.

C A P. L.

An act to revive and continue several laws, relating to the allowing the exportation of certain quantities of wheat, and other articles, to his Majesty's sugar colonies in America; and to the allowing a drawback of the duties on rum shipped as stores, to be consumed on board merchant ships on their voyages; and to extend the provisions of an act of the twenty-third year of his present Majesty, relative to the removal of wine in casks, to wine removed in bottles and other packages.

So much of act 16 Geo. 3. c. 37. as relates to the exportation of wheat, &c. to the sugar colonies, revived, and continued until May 1, 1785. So much of an act 19 Geo. 3. c. 22. as relates to a drawback on rum shipped as stores on board merchant ships, revived, and continued until April 1, 1786. Act 23 Geo. 3. c. 76. recited. From Sept. 20, 1784, the recited act, so far as it relates to the removal of wine without a certificate, &c. shall extend to the removal of wine in bottles, or other packages.

C A P. LI.

An act for granting to his Majesty certain duties on licences, to be taken out by persons vending hats by retail; and also certain duties on hats sold under such licences; and for laying additional duties on all hats and caps imported into this kingdom.

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, towards raising, by the most easy means, the necessary supplies which we have granted to your Majesty in this session of parliament, have voluntarily resolved to give and grant unto your Majesty the several rates and duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of October, one thousand seven hundred and eighty-four, there shall be raised, levied, collected, and paid, throughout the kingdom of Great Britain, unto and for the use of his Majesty, his heirs and successors the several rates and duties following; that is to say,

From Oct. 1, 1784, the following duties to be paid to his Majesty; viz.

All retailers of felt or beaver hats, &c. in Great Britain, to take out a licence annually: For which shall be paid, within the bills of mortality or borough of Southwark, 4s.

All persons uttering or vending, in Great Britain, by retail, any hats, commonly called or known by the name of Felt or Wool- Stuff or Beaver Hats, or any leather or japanned hats, shall annually take out a licence for that purpose in manner herein-after prescribed:

And where the person, so uttering or vending by retail such hats as aforesaid, shall reside within the cities of London and Westminster, or within the distance of the bills of mortality, or within the borough of Southwark in the county of Surrey, there shall be charged a stamp-duty of forty shillings:

And

And where the person, fo uttering or vending by retail any ſuch hats as aforeſaid, ſhall reſide in any city or market town, other than the cities of *London* and *Weſtminſter*, or borough of *Southwark* in the county of *Surrey*, there ſhall be charged a ſtamp-duty of five ſhillings :

And in cities or market towns without the bills 5s :

And where the perſon, uttering or vending by retail any ſuch hats as aforeſaid, who ſhall reſide in any other part of *Great Britain*, not being a city or market town, there ſhall be charged a ſtamp-duty of five ſhillings :

And in other parts of the kingdom, 5s. :

For every felt or wool, ſtuff or beaver hat, or any leather or japanned hat, not exceeding the price or value of four ſhillings, which ſhall be uttered, vended, or ſold, by any perſon or perſons taking out ſuch licences, there ſhall be charged a ſtamp-duty of three-pence :

For every felt or beaver hat, &c. not exceeding 4s. in value, 3d. :

For every felt or wool, ſtuff or beaver hat, or any leather or japanned hat, exceeding the price or value of four ſhillings, and not above the price or value of ſeven ſhillings, which ſhall be uttered, vended, or ſold, by any perſon or perſons taking out ſuch licences, there ſhall be charged a ſtamp-duty of ſixpence :

From 4s. to 7s. a duty of 6d. :

For every felt or wool, ſtuff or beaver hat, or any leather or japanned hat, above the price or value of ſeven ſhillings, and not exceeding the price or value of twelve ſhillings, which ſhall be uttered, vended, or ſold, by any perſon taking out ſuch licences, there ſhall be charged a ſtamp-duty of one ſhilling :

From 7s. to 12s. a duty of 1s. 1

For every felt or wool, ſtuff or beaver hat, or any leather or japanned hat, exceeding the price or value of twelve ſhillings, which ſhall be uttered, vended, or ſold, by any perſon or perſons taking out ſuch licences, there ſhall be charged a ſtamp-duty of two ſhillings :

And above 12s. a duty of 2s. :

II. And be it further enacted, That, for the better and more effectual levying and collecting all the ſaid duties herein-before granted, the ſame ſhall be under the government, care, and management of the commiſſioners for the time being appointed to manage the duties charged on ſtamped vellum, parchment, or paper; who, or the major part of them, are hereby required and empowered to employ ſuch officers under them for that purpoſe, and to allow ſuch ſalaries and incidental charges as may be neceſſary, and to provide and uſe ſuch ſtamps to denote the ſaid duties, as ſhall be requiſite in that behalf; and to do all other things neceſſary to be done for putting this act into execution, with relation to the ſaid rates and duties herein-before granted, in the like and in as full and ample manner as they, or the major part of them, are or is authorized to put in execution any former law concerning ſtamped vellum, parchment, and paper.

Duties to be under the management of the commiſſioners of ſtamps.

III. And be it further enacted, That, from and after the firſt day of *October*, one thouſand ſeven hundred and eighty-four, no perſon whatſoever required by this act to be licenſed ſhall, unleſs he or ſhe be licenſed in manner herein-after preſcribed, utter, vend, or ſell, any felt or wool, ſtuff or beaver hats, or

From Oct. 1, 1784, no perſon to ſell any hat herein mentioned without a licence,

on penalty of 50l. any leather or japanned hats, in *Great Britain*, upon pain to forfeit, for every offence, the sum of fifty pounds; to be recovered and applied as herein-after is directed.

Any two commissioners of stamps, or persons appointed by them, may grant licences. IV. And be it further enacted, That, from and after the passing of this act, any two or more of his Majesty's commissioners, appointed for managing the duties arising by stamps on vellum, parchment, and paper, or some person duly authorized by them, shall grant licences to such persons who shall apply for the same, to sell felt or wool, stuff or beaver hats, or leather or japanned hats, in any city, town, or other place within *Great Britain*, for the space of one year, to commence from the said first day of *October*, one thousand seven hundred and eighty-four, upon all licences to be granted on or before that day, and upon licences to be first granted to any person or persons after the said first day of *October*, one thousand seven hundred and eighty-four, to commence from the day of the date of every such licence; and all and every person and persons who shall take out such licence for selling hats, shall take out a fresh licence for another year, ten days at least before the expiration of that year for which he or she shall be so licensed, if he or she shall continue to sell hats by retail; and shall, in like manner, renew such licence from year to year, paying down the respective sums due for the stamps on such licence, as long as he or she shall continue to sell hats by retail.

Licences to be renewed annually.

Every licensed retailer to have the words Dealer in Hats by Retail, over the door or on the front of his house, &c. V. And be it further enacted, That every person vending or exposing to sale hats by retail, and who shall have taken out a licence for that purpose as herein-before is directed, shall cause the words *Dealer in Hats by Retail*, to be painted or written in large and legible characters, either over the door, or in some visible place on the front of his or their house, shop, or warehouse, at the respective place at which he or they keep such hats for sale, to denote that such person or persons is a dealer in hats, and licensed for that purpose; and if any person so licensed as aforesaid, shall presume to sell any hats, without fixing or hanging out such notice as aforesaid, every person so vending or exposing to sale any hats shall, for every hat so sold, forfeit and pay the sum of forty shillings; to be recovered and distributed as herein-after is directed.

on penalty of 40s. for each hat sold.

Unlicensed persons putting up those words, to forfeit 50l. VI. And be it further enacted, That if any person or persons shall cause the words *Dealer in Hats* to be affixed or put in the front of his, her, or their house or shop, or warehouse, without being licensed as aforesaid, he, she, or they, so offending shall, for every offence, forfeit the sum of fifty pounds.

VII. And whereas doubts may arise what person or persons may be considered a retail dealer or dealers in hats within the construction of this act; be it therefore enacted and declared, That all persons who shall sell any less quantity than one dozen of hats at one time to any one person, shall be deemed a retailer of hats, and shall be liable to take out a licence for that purpose.

Who shall be deemed retailers of hats.

Stamped paper tickets to be affixed to VIII. And, in order to secure the duty aforesaid, be it further enacted, That every person uttering or vending by retail, or exposing

a

exposing to fale, any hats liable to the duty hereby imposed, the lining of
 shall apply to the commissioners of stamps, or to the officers ap- the crown of
 pointed by them, for paper tickets, stamped with the several hats,
 and respective duties hereby imposed, to be pasted or affixed, by
 the person or persons so uttering or vending by retail such hat
 or hats as aforesaid, to the lining in the inside of the crown of
 such hats, in such manner and form as the said commissioners
 shall direct; and every felt or wool, stuff or beaver hat, or any
 leather or japanned hat, uttered, vendcd, or sold, by any per- agreeable to
 son or persons taking out the licence required by this act, shall the direction
 have affixed thereto such stamped ticket, mark, or device, and of the com-
 in such manner and form, and in such part of the inside there- missioners.
 of, as the commissioners of his Majesty's stamp-duties shall from
 time to time direct.

IX. And be it further enacted, That if any person or persons Persons sel-
 shall vend, utter, sell, or expose to sale, or shall purchase, or ling, &c. any
 receive in exchange for any other article, any hat or hats, sub- hat liable to
 ject to the stamp-duties hereby imposed, unless the stamp ticket the duties,
 hereby directed to be affixed to the same shall be affixed and without a pro-
 marked and stamped as by this act is directed, or that shall have per stamp,
 any ticket affixed thereto marked or stamped with a stamp or
 mark of less denomination or value than by this act is directed
 to be affixed; every such person and persons so offending shall
 forfeit and pay, for every such hat so sold, uttered, or exposed to forfeit 10l.
 to sale, or so bought or received in exchange, the sum of
 ten pounds, to be recovered and applied as herein-after is di-
 rected.

X. Provided always, and be it further enacted, That no- Not to extend
 thing in this act contained shall extend, or be construed to ex- to one licensed
 tend, to any person licensed in pursuance of this act, who shall retailer selling
 sell to any other retailer of hats also licensed, any hat or hats, to another.
 although the stamp ticket hereby directed to be affixed to the
 same shall not be affixed and marked and stamped as by this act
 is directed.

XI. And, to prevent the mark or stamp hereby directed to be used, Persons frau-
 which has been affixed to any hat, from being made use of again to dulentl y rear-
 affix to any other hat, be it enacted, That if any person or per- ing off, or af-
 sons shall fraudulently cut, tear, or take off, any mark or stamp, fixing any
 in respect whereof or by which any duties are hereby payable stamp already
 for any hat, or shall fraudulently affix or paste on in any hat, used in any
 any ticket hereby directed to be stamped, the same having been hat, &c.
 once made use of for the purpose aforesaid, and shall hereafter
 sell, utter, or expose to sale, any hat with such ticket so frau-
 dulentl y cut from, taken off, or removed; then, so often, and
 in every such case, all and every person and persons so offend-
 ing in any of the particulars before mentioned, shall forfeit the shall forfeit-
 sum of twenty pounds, to be recovered and applied as herein- 10l.
 after is directed.

XII. And, to prevent persons, so licensed as aforesaid, from selling
 and buying any tickets which have been before made use of for deno-
 ting any of the duties by this act imposed, and for preventing such
 frauds;

No person to
sell or buy any
ticket already
used, &c.

on penalty of
20l.

Either buyer
or seller who
shall inform
against the
other party,
shall be in-
demnified.

Retailers deli-
vering in bills
for hats liable
to the duties,
shall make a
separate
charge for the
stamps

Persons coun-
terfeiting
stamps, with
intent to de-
fraud his Ma-
jesty, to suffer
death as fel-
ons.

Provisions of
former acts re-
lating to
stamp duties,
to be in force
in executing
this act.

Penalties, sued
for within six
months, how
to be divided.

frauds; be it enacted, That if any person shall, from and after the passing of this act, sell or buy any such ticket, in order to be again made use of to be affixed to any hat liable to the duty hereby imposed, every such person so offending shall, for every such offence, forfeit the sum of twenty pounds, to be recovered and applied as herein-after is directed.

XIII. Provided always, and be it enacted, That if either buyer or seller of any such ticket, or of any hat not having the proper ticket affixed thereto, as aforesaid, shall inform against the other party concerned in buying or selling such ticket, or such hat not having the proper stamped ticket affixed thereto, as aforesaid, the party so offending shall be admitted to give evidence against the party informed against, and shall be indemnified from the penalties by him or her incurred.

XIV. And be it further enacted, That where any person or persons, licensed in pursuance of this act, shall deliver in any bill or charge for any hat or hats (subject to the duties hereby imposed), such person or persons shall make a distinct and separate charge for the stamp or stamps which shall have been affixed to the hat or hats so charged in such bill.

XV. And be it further enacted by the authority aforesaid, That if any person shall counterfeit or forge, or procure to be counterfeited or forged, any stamp or mark directed or allowed to be used by this act, for the purpose of denoting the duties by this act granted, or shall counterfeit or resemble the impression of the same, with an intent to defraud his Majesty, his heirs and successors, of any of the said duties; or shall privately or fraudulently use any seal, stamp, or mark, directed or allowed to be used by this act, with intent to defraud his Majesty, his heirs and successors, of any of the said duties; every person so offending, and being thereof lawfully convicted, shall be adjudged a felon, and shall suffer death as in cases of felony, without benefit of clergy.

XVI. And be it further enacted by the authority aforesaid, That all powers, provisions, articles, clauses, and all other matters and things prescribed or appointed by any former act or acts of parliament relating to the stamp duties on vellum, parchment, and paper, shall be of full force and effect with relation to the rates and duties hereby imposed, and shall be applied and put in execution for raising, levying, collecting, and securing the said new rates and duties hereby imposed, according to the true intent and meaning of this act, as fully, to all intents and purposes, as if the same had severally and respectively been hereby enacted with relation to the said new rates and duties hereby imposed.

XVII. And be it further enacted by the authority aforesaid, That all pecuniary penalties hereby imposed, shall be divided and distributed (if sued for within the space of six calendar months from the time of any such penalty being incurred) in manner following; one moiety thereof to his Majesty, his heirs and successors, and the other moiety thereof, with full costs

cost of ſuit, to the perſon or perſons who ſhall inform and ſue for the ſame.

XVIII. And be it further enacted by the authority aforeſaid, That all pecuniary penalties which ſhall exceed the ſum of twenty pounds, impoſed on any perſon or perſons for offences committed againſt this act, ſhall and may be ſued for and recovered in any of his Maſteſty's courts at *Weſtmiſter*, for offences committed in that part of *Great Britain* called *England*, the dominion of *Wales*, or the town of *Berwick upon Tweed*; and in his Maſteſty's court of ſeſſions, court of juſticiary, or court of exchequer in *Scotland*, for offences committed in that part of *Great Britain* called *Scotland*, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, privilege, wager of law, or more than one imparlance, ſhall be allowed.

Penalties exceeding 20 l. how to be recovered.

XIX. Provided always, and be it further enacted by the authority aforeſaid, That ſuch diſviſion or diſtribution of the penalties as aforeſaid, ſhall be, and is hereby confined and reſtricted to the proſecuting for the ſame within the time herein-before for that purpoſe limited; and that in default of ſuch proſecution within the time aforeſaid, no informer or informers ſhall have or be intitled to any part or ſhare of ſuch penalties, but that the whole thereof ſhall belong to his Maſteſty, his heirs and ſucceſſors, and ſhall be recoverable in manner aforeſaid; any thing herein contained to the contrary notwithstanding.

Informers not intitled to any part of the penalties, unleſs ſued for within ſix months.

XX. Provided always, and it is hereby enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any juſtice of the peace reſiding near the place where the offence ſhall be committed, to hear and determine any offence againſt this act, which ſubjects the offender to any pecuniary penalty not exceeding the ſum of twenty pounds; which ſaid juſtice of the peace is hereby authorized and required, upon any information exhibited or complaint made in that behalf, to ſummon the party accuſed, and alſo the witneſſes on either ſide, and ſhall examine into the matter of fact; and upon due proof made thereof, either by the voluntary confeſſion of the party, or by the oath of one or more credible witneſſes or witneſſes, to give judgement or ſentence for the penalty or forfeiture, according as in and by this act is directed, and to award and iſſue out his warrant under his hand and ſeal for the levying any pecuniary penalties or forfeitures, ſo adjudged, on the goods of the offender, and to cauſe ſale to be made thereof in caſe they ſhall not be redeemed within ſix days, rendering to the party the overplus, if any; and where the goods of the offender cannot be found ſufficient to anſwer the penalty, to commit ſuch offender to priſon, there to remain for the ſpace of three months, unleſs ſuch pecuniary penalty ſhall be ſooner paid and ſatiſfied: and if any perſon or perſons ſhall find himſelf or themſelves aggrieved by the judgement of any ſuch juſtice, then he or they ſhall and may, upon giving ſecurity to the amount of the value of ſuch penalty and forfeiture,

Any neighbouring juſtice may determine offences where the penalties do not exceed 20 l.

Perſons aggrieved by ſuch determination, may appeal to the quarter ſeſſions.

together with such costs as shall be awarded in case such judgement shall be affirmed, appeal to the justices of the peace at the next general quarter sessions for the county, riding, or place, who are hereby empowered to summon witnesses upon oath, and finally to hear and determine the same; and in case the judgement of such justice shall be affirmed, it shall be lawful for such justices to award the person or persons to pay costs occasioned by such appeal, as to them shall seem meet.

Persons summoned as witnesses who shall neglect to appear, without a reasonable excuse, to forfeit 40 s.

Justice may mitigate penalties.

XXI. And be it further enacted by the authority aforesaid, That if any person or persons shall be summoned as a witness or witnesses, to give evidence before such justice or justices of the peace, touching any of the matters relative to this act, either on the part of the prosecutor, or of the person or persons accused, and shall neglect or refuse to appear at the time and place to be for that purpose appointed, without a reasonable excuse for such his, her, or their neglect or refusal, to be allowed of by such justice or justices of the peace before whom the prosecution shall be depending, that then every such person shall forfeit, for every such offence, the sum of forty shillings; to be levied and paid in such manner and by such means as herein before directed as to other penalties: provided nevertheless, That it shall and may be lawful to and for the said justice, where he shall see cause, to mitigate and lessen any such penalties as he shall think fit, reasonable costs and charges of the officers and informers, as well in making the discovery as in prosecuting the same, being always allowed, over and above such mitigation, and so as such mitigation do not reduce the penalties to less than one moiety of the penalties incurred over and above the said costs and charges; any thing contained in this act, or any other act of parliament, to the contrary notwithstanding.

From Oct. 1, 1784, the following additional import duties to be paid to his Majesty; viz.

XXII. And it is hereby further enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, for the several goods herein after mentioned, which shall, from and after the said first day of October, one thousand seven hundred and eighty-four, be imported or brought into this kingdom from foreign parts, over and above all customs, subsidies, and duties, already imposed thereon, the several and respective duties following; that is to say,

For hats, &c. made of felt, 6d. the piece:

For all hats or caps (except night-caps) made of felt, or manufactured wholly of sheep or lambs wool, the sum of sixpence the piece:

For every hat made of beaver wool, &c. 2 s.

For every hat made of, or mixed with, beaver wool, or with hair, or other fur or wool of whatever kind, the sum of two shillings:

Duties to be subject to an additional import of 5 per

And the said duties shall be also subject and liable to an additional import or duty of five pounds *per centum* and five pounds *per centum* thereon, which were imposed by two several acts made

made in the nineteenth and twenty-second years of his Majesty's reign, for granting to his Majesty additional duties upon the produce of the several duties under the management of the respective commissioners of the customs and excise in Great Britain.

cent. and 5 per cent. thereon, imposed by 19 Geo. 3. c. 25; and 22 Geo. 3. c. 66.

XXIII. And it is hereby further enacted by the authority aforesaid, That the said duties herein-before granted upon the importation of such hats shall be under the management and direction of the commissioners of his Majesty's customs in England and Scotland respectively, and shall be paid down in ready money, without any discount or deduction whatsoever, and shall be drawn back upon the exportation of the same goods; and the said duties and drawbacks shall be raised, levied, collected, recovered, paid, and allowed, in the same manner and form, and under such restrictions, penalties, and forfeitures, and by such rules, ways, and methods, as the former duties and drawbacks for such goods are respectively raised, levied, collected, recovered, paid, and allowed, (except where any alteration is made by this act), as fully, to all intents and purposes, as if the several clauses, powers, directions, penalties and forfeitures, in any act or acts of parliament relating thereto, were particularly repeated and again enacted in the body of this present act.

Import duties to be under the management of the commissioners of customs, and drawn back upon exportation;

and to be levied and recovered in the same manner as the former duties, &c.

XXIV. And, for encouraging the exportation of hats into foreign parts, be it further enacted, That it shall and may be lawful to and for any person or persons, licensed in pursuance of this act, to export any number of hats, not less in quantity than two dozen in any one package, without having the stamp ticket affixed thereto as herein-before is directed, upon giving notice to the distributor of stamps living nearest to the place where the person so exporting such hats shall reside, and obtaining from him a certificate thereof, which he is hereby directed to give, without fee or reward.

Hats, two dozen in one package, may be exported without having the stamp ticket affixed thereto, &c.

XXV. And be it further enacted by the authority aforesaid, That the several duties herein-before granted shall be paid from time to time into the hands of the receiver general for the time being of the duties on stamped vellum, parchment, and paper, who shall keep a separate and distinct account of the several rates and duties, and pay the same (the necessary charges of raising, paying, and accounting for the same, being deducted), into the receipt of the exchequer, at such time, and in such manner, as the duties now charged on stamped vellum, parchment, and paper, are directed to be paid; and that in the office of the auditor of the said receipt shall be provided and kept a book or books, in which all the monies arising from the said several rates and duties, and paid into the said receipt as aforesaid, shall be entered, separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatsoever; and the said money so paid into the said receipt of exchequer as aforesaid, shall be a fund for the payment of the several annuities and all other charges and expences as are directed to be paid and payable,

Duties to be paid to the receiver general of stamped duties, and by him paid into the exchequer.

Auditor to provide a book for entering the monies separate from all others.

Application thereof.

pursuant to an act of this present session of parliament, (intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery*).

Defendants
may plead the
general issue,

XXVI. And be it further enacted by the authority aforesaid, That if any person or persons shall at any time or times, be sued, molested, or prosecuted, for any thing by him or them done or executed in pursuance of this act, or of any clause, matter, or thing, herein contained, such person or persons shall be may plead the general issue, and give the special matter in evidence for his or their defence; and if, upon the trial, a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs become nonsuited, then such defendant or defendants shall have treble costs awarded to him or them against such plaintiff or plaintiffs.

and recover
treble costs.

C A P. LII.

An act for raising a further sum of money, by loans or exchequer bills for the service of the year one thousand seven hundred and eighty-four.

Commissioners of the treasury may raise 1,000,000 l. by loans and exchequer bills before Jan. 5, 1785, in manner as by the last act of last session is prescribed, &c. The clauses in the said act relating to loans or bills, (Exception) extended to this act. Exchequer bills to issued not to be received again in payment of any taxes, nor exchanged before April 6, 1785. Action not to lie for such refusal. Money so raised to be repaid out of the next parliamentary aid; and if sufficient supplies be not granted before July 5, 1785, to be charged on the sinking fund. Monies so issued to be replaced out of the first supplies. Bank of England authorized to advance the said sum on the credit of this act; an act 5 & 6 Gul. & Mariz notwithstanding.

C A P. LIII.

An act for granting to his Majesty certain duties on all gold and silver plate imported, and also certain duties on all gold and silver wrought plate made in Great Britain.

Most gracious Sovereign,

Preamble.

WE your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, being desirous to raise the supply granted to your Majesty in this session of parliament by ways the least burthensome to your Majesty's subjects, have freely and voluntarily resolved to give and grant unto your Majesty the respective duties herein after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of *December*, one thousand seven hundred and eighty-four, there shall be raised, levied, collected, and paid, throughout the kingdom of *Great Britain*, unto and for the use of his Majesty, his heirs and successors, for and upon all gold and silver plate which shall be imported or brought into the

From Dec. 1, 1784, the following duties upon gold and silver plate to be paid to his Majesty; viz.

the kingdom of *Great Britain*, and for and upon all gold and silver plate to be made or wrought within the same kingdom, the several and respective rates and duties following; that is to say,

For and upon all gold plate which, at any time or times after the first day of *December*, one thousand seven hundred and eighty-four, shall be imported or brought into the kingdom of *Great Britain*, or which shall be made or wrought within the same kingdom at any time or times from and after the said first day of *December*, one thousand seven hundred and eighty-four, and which shall or ought to be touched, assayed, and marked in *Great Britain*, over and above all other duties already imposed thereupon, a duty after the rate of eight shillings for every ounce troy; and proportionably for any greater or less quantity:

For gold plate imported into or made in *Great Britain*, an additional duty of 8 s. per ounce:

And for and upon all silver plate which, at any time or times after the first day of *December*, one thousand seven hundred and eighty-four, shall be imported or brought into the kingdom of *Great Britain*, or which shall be made or wrought within the same kingdom, at any time or times from and after the said first day of *December*, one thousand seven hundred and eighty-four, and which shall or ought to be touched, assayed, and marked in *Great Britain*, over and above all other duties already imposed thereupon, a duty after the rate of sixpence for every ounce troy; and proportionably for any greater or less quantity:

For silver plate imported into or made in *Great Britain*, an additional duty of 6 d. per ounce.

To be paid by the importer, or makers or workers thereof respectively, as in and by this act is directed and prescribed.

II. And, for the better and more effectual raising, levying, collecting, and paying, the said duties herein-before granted, be it further enacted, That the same, as far as relates to gold and silver plate made or wrought in *Great Britain*, shall be under the government, care, and management of the commissioners for the time being appointed to manage the duties payable to his Majesty, his heirs and successors, and charged on stamped vellum, parchment, and paper; and they, or the major part of them, are hereby authorised and required, from time to time, to appoint and employ such officers under them for that purpose, and to allow such salaries and incidental charges as shall be necessary; and to do all other acts, matters, and things, necessary to be done for putting this act in execution, with relation to the said duties on gold and silver plate made or wrought in *Great Britain*, in the like, and in as full and ample manner as they, or the major part of them, are or is authorised to put in execution any of the laws now in being concerning stamped vellum, parchment, and paper.

The duties on plate made in *Great Britain* to be under the management of the commissioners of stamps.

III. And be it further enacted, That the said duties by this act imposed upon wrought gold and silver plate to be imported, shall be put under the care and management of his Majesty's commissioners

The duties on plate imported to be under the management of the

commissioners of customs. commissioners of the customs in *England*, and *Scotland* respectively, and shall be raised, levied, recovered, and paid, and be brought into the exchequer, (to and for the uses and purposes in this act expressed), by such rules, ways, means, and methods, and under such penalties and forfeitures, and in such manner and form, as the duties upon gilt and silver ware imported, imposed by an act of the tenth year of the reign of her late majesty Queen *Anne*, or by any act of parliament relating thereto, are prescribed and appointed to be raised, levied, recovered, answered, and paid.

From Dec. 1, 1784, goldsmiths, &c. shall send to the assay office, with every parcel of gold or silver, a written note:

particulars to be specified therein.

IV. And be it further enacted, That every working goldsmith and silversmith, or other manufacturer of gold or silver whatsoever, who shall, at any time or times after the said first day of *December*, one thousand seven hundred and eighty-four, work or make, or cause to be wrought or made, any gold or silver vessel, plate or manufacture of gold or silver whatsoever, required to be touched, assayed, and marked, by the company of goldsmiths in *London*, or the company of goldsmiths in *Edinburgh*, or by the *Birmingham* or *Sheffield* companies, or by the wardens and assayer or assayers at *York*, *Exeter*, *Bristol*, *Chester*, *Norwich*, and *Newcastle upon Tyne*, shall from time to time send, with every parcel of such gold or silver, to the assay office of the said respective companies, cities, and places, a note or memorandum fairly written; containing the day of the month and year, the christian and surname of the worker or maker, and place of his or her abode, and also all the species in such parcel of plate, and the number of each species, with the total weight of such parcel, and also the sum of money payable for the duty upon the total weight of such parcel; and also shall from time to time send, deliver, and pay, with every such parcel, to the officer belonging to such respective assay office who shall receive such parcel of gold or silver so sent to be touched, assayed, and marked, the duty by this act directed to be paid upon every such parcel of gold or silver so required to be touched, assayed, and marked.

Plate how to be marked.

Duties to be paid previous to the marking.

V. And be it further enacted, That the wardens, or their deputy assay-master, weigher, or other person appointed by the said respective companies or assay officers, shall mark with the following new mark, that is to say, with the mark of the King's head, over and besides the several other marks directed by law, all and every such pieces or parcels of gold or silver plate so sent to be touched, marked, and assayed; and shall, previous to the touching, marking, or assaying such gold or silver plate or manufacture, ask, demand, and receive, for the use of his Majesty, his heirs and successors, of and from the person or persons whose property is so required to be touched, marked, and assayed, the sum of eight shillings for every ounce of gold plate, or manufacture of gold, and so in proportion for any greater or less quantity, which shall be brought to the said respective assay offices to be touched, marked, and assayed as aforesaid; and also the sum of sixpence for every ounce

ounce of ſilver plate or manufacture of ſilver, and ſo in proportion for any greater or leſs quantity, which ſhall be brought to the ſaid reſpective aſſay offices to be touched, marked, and aſſayed as aforeſaid; and ſhall give a receipt for the duty ſo paid to the perſon or perſons bringing ſuch plate or manufacture; and in default of receiving ſuch duty, in manner aforeſaid, ſuch reſpective companies or aſſay offices ſo touching, marking, or aſſaying ſuch plate, ſhall be accountable to his Majeſty, his heirs and ſucceſſors, for the ſaid duty, as if the ſame had actually been by them received.

Receipts to be given for the duty.

VI. And be it further enacted, That the aſſay maſter, weigher, or other officer of the ſaid reſpective companies or aſſay offices, who ſhall, from time to time, from and after the ſaid firſt day of *December*, one thouſand ſeven hundred and eighty-four, take and receive the ſaid monies and duties, with the ſaid notes or memorandums, ſhall daily, as ſoon as he ſhall have entered the ſame in the book or books of the ſaid reſpective companies or aſſay offices, deliver the ſaid notes or memorandums, and pay the ſaid ſums of money and duties ſo by him received, to the clerk or accountant of the ſaid reſpective companies or aſſay offices, who ſhall file the ſame notes or memorandums, and enter the ſame, and keep a true and faithful account in writing, in books to be kept for that particular purpoſe, of the duties received by him under and by virtue of this act; which ſaid account ſhall at all times be open for the inſpection of any perſon or perſons duly authorized, under the hands and ſeals of the ſaid commiſſioners of the ſtamp-duties, or the major part of them, to inſpect the ſame.

Aſſay maſters, &c. to pay the duties and deliver the notes they receive, daily, to the clerk or accountant, &c.

VII. *And whereas gold or ſilver wares, when ſent to be marked and aſſayed, are ſent in ſo rude and rough a ſtate that the ſame in the finiſhing are greatly leſſened in weight,* be it therefore enacted, That the perſon appointed by the ſaid companies or aſſay offices to take and receive the monies and duties by this act directed, ſhall, where ſuch plate is ſent to be marked and aſſayed in the ſame rude and rough ſtate as heretofore has been uſual, make a deduction of one fifth from the weight, and an allowance of one fifth part of the duty hereby impoſed, to the perſon or perſons bringing the ſame; and ſhall, at the bottom of the note or memorandum herein-before directed to be kept and filed, expreſs the deduction from the weight, and the allowance of the duty accordingly: provided always, That nothing herein contained ſhall extend to any allowance being made on any quantity of ſilver plate or manufacture, leſs in weight than one ounce troy, nor to any fractional part of an ounce.

An allowance of part of the duty to be made for goods ſent to be aſſayed in a rough ſtate.

VIII. And be it further enacted, That, from and after the ſaid firſt day of *December*, one thouſand ſeven hundred and eighty-four, no goldſmith, ſilversmith, or other perſon whatever, making or ſelling, trading or dealing in, gold or ſilver wares, ſhall ſell, exchange, or expoſe to ſale, in *Great Britain*, any gold or ſilver veſſel, plate, or manufacture of gold

Gold or ſilver plate made after Dec. 1, 1784, not to be ſold or exchanged, or exported, until marked as by this act or directed;

on penalty of
50l.

and forfeiture
of the goods.

Particular
wares to
which this act
shall not ex-
tend.

22 Geo. 2.
c. 26.

Duty to be re-
turned for all
gold and sil-
ver defaced
for being
coarser than
the standard
(if no intend-
ed fraud shall
appear).

or silver whatsoever, made after the said first day of *December*, one thousand seven hundred and eighty-four, or export the same out of the kingdom of *Great Britain*, until such time as such vessel, plate, or manufacture of gold, (being of the stand-ard directed by law) and such vessel, plate, or manufacture of silver, (being likewise of the standard directed by law) shall be marked with the new mark herein-before directed, (that is to say), The King's head, over and besides all other marks already directed by law to be marked or impressed thereon, upon pain that every such goldsmith, silversmith, or other per-son so offending, shall, for every such offence, forfeit and pay the sum of fifty pounds, to be recovered and disposed of as herein-after is directed; and for default of not paying down the penalty upon conviction, shall be committed by the court, in which judgement shall be given thereon, to the house of cor-rection for the county, city, liberty, or place where convicted, there to remain, and to be kept to hard labour, for any time not exceeding the space of one year, nor less than six months, or until payment be made of the said forfeiture; and also upon pain that such gold and silver vessel, plate, and manufac-ture of gold and silver, which shall be sold, exchanged, or exposed to sale, without having the mark thereon as by this act is directed, shall be forfeited, one moiety thereof to the King's majesty, his heirs and successors, and the other moiety thereof to such person or persons who shall sue for the same.

IX. Provided always, and it is hereby declared, That no-thing in this act contained shall extend to any jewellers works, (that is to say), any gold or silver wherein any jewels or other stones are or shall be set (other than mourning rings), nor to any jointed night ear-rings of gold, or gold springs of lockets, nor to compel any of the wares of gold or silver to be stamped or marked with the stamp or mark directed by this act, which are particularly excepted in the act made in the twelfth year of the reign of his late Majesty, intituled, *An act for the better preventing frauds and abuses in gold and silver wares*.

X. Provided always, and it is hereby enacted, That when any parcel of gold or silver shall in any of the respective assay offices aforesaid be found to be of a coarser allay than the re-spective standards, and shall be cut, broken, and defaced, then, and in such case (and where no intended fraud shall appear) the duty granted by this act, and which shall have been paid upon every such parcel upon the delivery thereof to be assayed, shall be returned to the worker or maker by the companies or assay offices who shall cut, break, or deface such gold or sil-ver work or manufacture so brought to be touched, assayed, and marked; and the said companies and assay offices shall make an entry in the books herein-before directed to be kept by them of the species and weight of each parcel so cut, broken, and defaced by them, and the names of the persons to whom such gold and silver plate did belong, and the amount of the duty so returned.

XI. And,

XI. *And, in order to prevent any injury to the manuſactu-
 gold and ſilver plate, and for the better encouragement of the expo-
 ration thereof,* be it enacted, That, in caſe any perſon or perſons
 whatſoever ſhall, at any time or times after the ſaid firſt day of
December, one thouſand ſeven hundred and eighty-four, during
 the continuance of the duties by this act impoſed upon wrought
 plate, or manuſactures of gold and ſilver, export by way of
 merchandize for any foreign parts, any plate of gold or ſilver
 wrought, or manuſactured in this kingdom, which by this act
 is charged or chargeable with the ſaid reſpective duties of eight
 ſhillings *per* ounce, and ſixpence *per* ounce, and the ſame ſhall
 appear to have been made and marked as aforeſaid, after the
 ſaid firſt day of *December*, one thouſand ſeven hundred and
 eighty-four, and the duty hereby directed ſhall have been paid
 thereon, and ſhall give ſufficient ſecurity before the ſhipping
 thereof for exportation, that the particular quantities of ſuch
 plate or manuſactures of gold or ſilver intended to be ex-
 ported as aforeſaid, and every part thereof, ſhall not be re-land-
 ed or brought again into *Great Britain*, and ſhall make proof,
 upon oath, that the ſame gold or ſilver plate, or manuſactures,
 were actually made or marked as aforeſaid, after the ſaid firſt
 day of *December*, one thouſand ſeven hundred and eighty-four,
 which ſecurities ſhall be taken in the King's name, and to his
 uſe, and the ſaid oaths ſhall be adminiſtered, by the cuſtomer
 or collector of the reſpective port for ſuch exportation; and
 and ſhall alſo produce and deliver to ſuch cuſtomer or collector
 a certificate, under the hand of the perſon to whom ſuch
 wrought plate or manuſactures of gold and ſilver were conſign-
 ed, certifying that the ſame have been received, and mention-
 ing the weight and particular ſpecies of plate ſo conſigned and
 received, the name of the perſon conſigning the ſame, the
 name of the veſſel, and the name of the captain commanding
 ſuch veſſel, and the port of *Great Britain* from which the ſaid
 veſſel was cleared, and the port to which ſuch veſſel was bound;
 and ſhall alſo, where the drawback ſhall amount to five pounds
 and upwards, authenticate ſuch certificate by a notorial act in
 writing; and where the ſame cannot be done by a notorial act,
 then the ſame ſhall be authenticated under the hand and ſeal of
 the chief magiſtrate of the city, town, or place where ſuch
 wrought plate or manuſacture of gold and ſilver ſhall be receiv-
 ed; that then, and in every ſuch caſe, the ſaid cuſtomer or col-
 lector ſhall give to the exporter thereof a debenture, expreſſing
 the true kinds and quantities of ſuch plate and manuſactures of
 gold or ſilver ſo exported, or ſhipped to be exported; and the
 exportation or ſhipping thereof being certified by the ſearcher
 upon the ſaid debenture, the collector or receiver of the ſaid
 duty on plate, upon the ſaid debenture ſo certified being pro-
 duced to him, ſhall forthwith pay a drawback or allowance
 after the rate of eight ſhillings for every ounce troy, and pro-
 portionably for any greater or leſs quantity, of ſuch plate or
 manuſacture of gold, and after the rate of ſixpence for every
 ounce

New duties
 paid for plate
 ſhall be drawn
 back on ex-
 portation
 thereof.

ounce troy, and proportionably for any greater or less quantity, of such plate or manufacture of silver, out of the money of the said duties on plate or manufactures of gold and silver then in the hands of the said receiver or collector, without fee or reward; and if the said receiver or collector shall not have money in his hands to pay any such debt, then the receiver-general of the stamp-duties for the time, is hereby required to pay, or cause to be paid, the said debt out of any of the duties arising by this act, any thing herein contained to the contrary notwithstanding.

XII. *And, the better to prevent the fraudulent relanding of any plate in this kingdom after the drawback has been paid and allowed for the same,* it is hereby further enacted by the authority aforesaid, That, all wrought gold and silver plate which shall be intended to be exported from this kingdom into any foreign parts, before the same is shipped for that purpose, shall be brought by the owner or proprietor thereof to the assay office, and shall be there stamped or marked with the figure of a *Britannia*, in order to denote that such plate is entered and intended for exportation, and to be allowed the drawback thereon.

Wrought plate intended for exportation, to be taken to the assay office and marked with a *Britannia*.

Clerk, &c. of the goldsmiths company, within two months after Dec. 25, 1784, to deliver to the commissioners of stamps copies of the accounts for the preceding quarter;

and from thenceforth within two months after every quarter day, &c.

and shall pay the monies due thereon, to the receiver-general of stamp-duties,

XIII. And be it further enacted, That the clerk or accountant of the company of goldsmiths in *London* shall, on the twenty-fifth day of *December*, one thousand seven hundred and eighty-four, or within two months after, deliver to the said commissioners of stamp-duties, or some person or persons authorized by them at the head office to receive the same, true copies of the accounts herein-before directed to be kept, for the quarter which shall be completed before such day of delivery, and at the same time shall pay all such sum and sums of money which shall have been received on account of the said duties before the said twenty-fifth day of *December*; and from thenceforth shall, some time within two months after the twenty-fifth day of *March*, the twenty-fourth day of *June*, the twenty-ninth day of *September*, and the twenty-fifth day of *December*, in every year, or at such other times, after the expiration of the said two months, as may be appointed by the major part of the said commissioners of the stamp-duties, giving a previous publick notice of fourteen days, or more, by advertisement in the *London Gazette*, deliver, or cause to be delivered, to the said commissioners, or to the person or persons appointed by them for the purpose of receiving the same, at the head office of the said commissioners, true copies of the accounts herein-before directed to be kept by such clerks or accountants of the said respective companies or assay offices, for the quarter which shall be completed before such day of delivery, or notice, as the case shall be; and, at the same time, shall pay such sum and sums which shall appear to be due on such accounts to the receiver-general for the time being of the duties on stamped vellum, parchment, and paper, or to the proper officer appointed to receive the said duties, for the use of his Majesty, his heirs and successors, at the said head office;

office; upon pain of forfeiting, for every default in not delivering true copies of such accounts, the sum of five hundred pounds; and for every default in payment of the monies due on such accounts, double the amount of the money so due and payable at the time of such default.

Penalty on default.

XIV. And be it further enacted, That the wardens, or their deputies, or the clerk or accountant, or other person appointed to receive the duty hereby imposed, by the goldsmiths company at *Edinburgh*, or by the companies of *Birmingham* and *Sheffield*, or the respective assay offices at *York*, *Exeter*, *Bristol*, *Chester*, *Norwich*, and *Newcastle upon Tyne*, or other cities or places where any assay office shall or may be established, shall, on the twenty-fifth day of *December*, one thousand seven hundred and eighty-four, or within two months after, deliver to the head distributor of stamped vellum, parchment, and paper, in and for the city or county in which such companies or assay offices shall be established, or to the person or persons duly authorized and commissioned under the hands and seals of three of the said commissioners for stamp-duties to receive such accounts, and the money due thereon, true copies of the accounts herein-before directed to be kept by such companies or assay offices respectively, and which shall, on the said twenty-fifth day of *December*, one thousand seven hundred and eighty-four, or within two months after, be outstanding, or to be accounted for under this act, and shall, at the same time, pay all the monies which shall have been received by them respectively on account of the aforesaid duties, before the said twenty-fifth day of *December*; and from thenceforth shall, some time within two months after the twenty-fifth day of *March*, the twenty-fourth day of *June*, the twenty-ninth day of *September*, and the twenty-fifth day of *December*, in every year, or at such other times after the expiration of the said two months as may be appointed by the head distributor, or the person or persons so to be authorized to receive the said duties, giving a previous notice of fourteen days or more, by advertisement in the *London Gazette*, or in the newspaper, if any such there be, published in and for the county where such head distributor resides, deliver, or cause to be delivered, to such head distributor, or other person or persons aforesaid, true copies of the accounts herein-before directed to be kept by such companies or assay offices, for the quarter which shall be completed before such day of delivery, or notice, as the case shall be; and, at the same time, shall pay to such head distributor, or other person or persons so to be authorized as aforesaid, all sums of money which shall appear to be due upon such accounts; under the penalty of forfeiting, for every default in not delivering such accounts, the sum of fifty pounds; and for every default in payment of the monies due on such accounts, double the amount of the said monies due on the said account at the time of such default.

Wardens, or other persons appointed by the goldsmiths company at *Edinburgh*, &c. within two months after Dec. 25, 1784, to deliver to the head distributor of stamps, &c. copies of the accounts for the preceding quarter;

and from thenceforth within two months after every quarter day, &c.

and shall pay the monies due thereon, to the receiver general of stamp duties. Penalty on default.

XV. And it is hereby enacted, That the said receiver-general of the stamp-duties, at the head office, and the said head distributor,

An allowance to be made to distri-

the clerks, &c.
for their
trouble.

distributor of ſtamped vellum, parchment, and paper, or other perſon or perſons duly appointed by the major part of the ſaid commiſſioners of ſtamp-duties to receive the duties by this act impoſed, ſhall make an allowance to all and every the clerks, accountants, or other perſon or perſons ſo appointed, by ſuch companies or aſſay offices reſpectively, for their trouble in originally receiving the ſaid duties, and making out ſuch account as is herein-before directed, at and after the rate of ſixpence in the pound out of the monies by them regularly accounted for and paid to ſuch receiver-general, or head diſtributor, or ſuch other perſon or perſons as aforeſaid, according to the directions herein-before contained.

From Dec, 1,
1784, any
perſon who
ſhall counter-
feit any ſtamp
to be uſed in
pursuance of
this act;

XVI. And be it further enacted by the authority aforeſaid, That if any perſon whatſoever, from and after the ſaid firſt day of *December*, one thouſand ſeven hundred and eighty-four, ſhall caſt, forge, or counterfeit, or cauſe or procure to be caſt, forged, or counterfeited, the mark or ſtamp uſed, or directed to be uſed in purſuance of this act, for the marking or ſtamping of gold or ſilver plate by the company of goldſmiths in *London* or *Edinburgh*, or the *Birmingham* or *Sheffield* company, or by the wardens, or aſſayer or aſſayers at *York*, *Exeter*, *Bristol*, *Cheſter*, *Norwich*, or *Newcaſtle upon Tyne*, or by any maker or worker of gold or ſilver plate, or any or either of them; or ſhall caſt, forge, or counterfeit, or ſhall cauſe or procure to be caſt, forged, or counterfeited, any mark, ſtamp, or impreſſion, in imitation of, or to reſemble any mark, ſtamp, or impreſſion, made or to be made with any mark or ſtamp uſed or to be uſed as aforeſaid by the ſaid company of goldſmiths in *London* or *Edinburgh*, or by the ſaid *Birmingham* or *Sheffield* company, or by the ſaid wardens, or aſſayer or aſſayers, or by any maker or worker of gold or ſilver plate, or any or either of them; or ſhall mark or ſtamp, or cauſe or procure to be marked or ſtamped, any wrought plate of gold or ſilver, or any wares of braſs or other baſe metal ſilvered or gilt over and reſembling plate of gold or ſilver, with any mark or ſtamp which hath been or ſhall be forged or counterfeited at any time either before, on, or after the ſaid firſt day of *December*, one thouſand ſeven hundred and eighty-four, in imitation of, or to reſemble any mark or ſtamp uſed or to be uſed as aforeſaid by the ſaid company of goldſmiths in *London* or *Edinburgh*, or by the ſaid *Birmingham* or *Sheffield* companies, or by the ſaid wardens, or aſſayer or aſſayers, or by any maker or worker of gold or ſilver plate, or any or either of them; or ſhall tranſpoſe or remove, or cauſe or procure to be tranſpoſed or removed from one piece of wrought plate to another, or to any veſſel of ſuch baſe metal as aforeſaid, any mark, ſtamp, or impreſſion, made or to be made by or with any mark or ſtamp uſed or to be uſed as aforeſaid by the ſaid company of goldſmiths in *London* or *Edinburgh*, or by the ſaid *Birmingham* or *Sheffield* companies, or by the ſaid wardens, or aſſayer or aſſayers, or by any maker or worker of gold or ſilver plate, or any or either of them; or ſhall ſell, exchange, or expoſe to ſale, or export out of this kingdom, any wrought

or ſhall ſtamp
any wrought
plate, &c with
any counter-
feited ſtamp;

or ſhall re-
move from
one piece of
wrought
plate, &c.
to another,
any ſtamp to
be uſed by the
ſaid compa-
nies or aſſay-
ers, &c.

wrought plate of gold or silver, or any vesse! of such base metal as aforesaid, with any such forged or counterfeit mark, stamp, or impression thereon, or any mark, stamp, or impression which hath been or shall be transposed or removed from any other piece of plate, knowing such mark, stamp, or impression, to be forged, counterfeited, or transposed or removed as aforesaid; or shall wilfully or knowingly have or be possessed of any mark or stamp which hath been or shall be forged or counterfeited, in imitation of, and to resemble any mark or stamp used or to be used as aforesaid by the said company of goldsmiths in *London* or *Edinburgh*, or by the said *Birmingham* and *Sheffield* companies, or by the said wardens, or assayer or assayers, or by any maker or worker of gold or silver plate, or any or either of them; every such person offending in any such or either of the cases aforesaid, being thereof lawfully convicted, shall be adjudged guilty of felony, and shall suffer death as a felon, without benefit of clergy.

or shall sell or export any plate, &c with such counterfeit stamp thereon, &c.

shall suffer death as a felon.

XVII. And be it further enacted, That all pecuniary penalties hereby imposed shall be divided and distributed in manner following; that is to say, one moiety thereof shall belong to his Majesty, his heirs and successors, and the other moiety thereof, with full costs of suit, to the person or persons who shall inform or sue for the same, in any of his Majesty's courts at *Westminster*, for offences committed in *England*, *Wales*, or *Berwick upon Tweed*, or in his Majesty's court of exchequer in *Scotland*, for offences committed in that part of *Great Britain* called *Scotland*, by action of debt, bill, plaint, or information, wherein no esoin, protection, privilege, wager of law, or more than one impaillance, shall be allowed.

Penalties how to be divided.

XVIII. And be it further enacted by the authority aforesaid, That the duties herein-before granted shall be paid from time to time into the hands of the receiver-general for the time being of the duties on stamped vellum, parchment, and paper, who shall keep a separate and distinct account of the duties, and pay the same, the necessary charges of raising, paying and accounting for the same being deducted, into the receipt of the exchequer, at such time, and in such manner, as the duties now charged on stamped vellum, parchment, and paper, are directed to be paid; and in the office of the auditor of the said receipt there shall be provided and kept a book or books, in which all the monies arising from the said duties, and paid into the said receipt as aforesaid, shall be entered separate and apart from all other monies paid or payable to his Majesty, his heirs and successors, upon any account whatsoever; and the said money so to be paid into the said receipt of exchequer as aforesaid, shall be a fund for the payment of the several annuities, and all such other charges and expences as are directed to be paid and payable, pursuant to an act of this present session of parliament, intituled, *An act for raising a certain sum of money by way of annuities, and for establishing a lottery.*

Duties to be paid to the receiver general of stamp duties, and by him paid into the exchequer.

Auditor to provide a book, in which the duties shall be entered separate from all others. Application thereof.

XIX. And be it further enacted, That if any person or per-

Defendants may plead the general issue,

sons, bodies politick or corporate, shall, at any time or times, be sued, molested, or prosecuted for any thing by him or them done or executed in pursuance of this act, or of any clause, matter, or thing herein contained, such person or persons, and bodies politick or corporate, shall or may plead the general issue, and give the special matter in evidence for his or their defence; and if upon the trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs become nonsuited, then such defendant or defendants shall have treble costs awarded to him, her, or them, against such plaintiff or plaintiffs.

and recover
treble costs.

C A P. LIV.

An act to explain and amend an act, made in the eleventh and twelfth years of the reign of King William the Third, intituled, An act to enable justices of peace to build and repair gaols in their respective counties; and for other purposes therein mentioned.

Preamble.

21 & 22. Gul.
3. c. 19, recit.
ed.

WHEREAS by an act, made in the eleventh and twelfth years of the reign of his late majesty King William the Third, (intituled, An act to enable justices of peace to build and repair gaols in their respective counties,) it is enacted, That it shall and may be lawful for the justices of the peace, or the greater number of them, within the limits of their commissions, upon presentment made by the grand jury or grand juries, at the assizes, great sessions, and general gaol delivery, of the insufficiency or inconveniency of their gaol or prison, to conclude and agree upon such sum or sums of money as, upon examination of able and sufficient workmen, shall be thought necessary for the building, finishing, or repairing a publick gaol or gaols belonging to the county whereof they are justices of the peace, and to charge such sum or sums of money upon the several hundreds, or other divisions of the county: and whereas it has been found difficult to carry the said act into execution; whereby the gaols, in many counties, divisions, ridings, cities, towns, liberties, or precincts, have continued in a very ruinous state for a considerable time, and have become prejudicial to the health of the prisoners, and insufficient for the safe custody of them; for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of September, one thousand seven hundred and eighty-four, it shall and may be lawful for the justices of the peace in and for every county, riding, division, city, town, liberty, or precinct, within England and Wales, at their respective general quarter sessions of the peace, or the major part of the said justices then and there assembled, such major part not being in number less than seven, upon presentment made by the grand jury or grand juries, at the assizes, great sessions, or general gaol delivery, held for every such county, riding,

From Sept. 1,
1784, the jus-
tices in ses-
sions, through-
out England
and Wales,
upon present-
ment by the
grand jury,
may order
county gaols
to be rebuilt
or enlarged.

riding, diviſion, city, town, liberty, or precinct, of the inſufficiency, inconſvenience, or want of repair, of any gaol belonging to ſuch county, riding, diviſion, city, town, liberty, or precinct, to contract and agree with any perſon or perſons for the building, rebuilding, finiſhing, repairing, or enlarging ſuch gaol, and the yards, courts, and outlets thereof, and adding ſuch other buildings, and making ſuch conveniences as ſhall be adjudged requiſite by the ſaid juſtices, at a certain ſum, payment, or allowance for the ſame; or for erecting any new gaol, upon any ſcite or ground within any diſtance not exceeding two miles from the ſcite of the old gaol, and in that caſe for ſelling the old gaol, and the ſcite thereof, and land thereto belonging, or any part thereof reſpectively, and alſo the materials of the old gaol, for the beſt price that can be procured for the ſame; ſuch contractor or contractors giving ſufficient ſecurity, for the due performance of their contracts or agreements, to the reſpective clerks of the peace for ſuch county, riding, diviſion, city, town, liberty, or precinct aforeſaid.

II. And be it further enacted by the authority aforeſaid, That the ſaid juſtices of the peace, after ſuch preſentment made as aforeſaid, ſhall, at the next general quarter ſeſſions to be holden for ſuch county, riding, diviſion, city, town, liberty, or precinct, give notice, three times at leaſt, in ſome publick paper or papers circulating in or near ſuch county, riding, diviſion, city, town, liberty, or precinct, of ſuch preſentment having been made, and of their intention to take the ſame into conſideration at the next enſuing, or ſome following general quarter ſeſſions; and after ſuch conſideration ſhall have been had, the ſaid juſtices ſhall give notice in ſuch publick paper or papers as aforeſaid, of their intention of contracting with any perſon or perſons for building, rebuilding, finiſhing, repairing, or enlarging ſuch gaol, as aforeſaid, and of every other matter or thing intended to be done in conſequence of ſuch preſentments; and ſuch contract or contracts ſhall be made and entered into at the moſt reaſonable rates, and with the moſt reſponſible perſons; and every ſuch contractor ſhall give ſufficient ſecurity for the due performance of his contract, to the clerk of the peace for ſuch county, riding, diviſion, city, town, liberty, or precinct; and all contracts when made, and all orders relating thereto, ſhall be entered in a book to be kept by the clerk of the peace, who is hereby required to keep the ſame, among the records of ſuch county, riding, diviſion, city, town, liberty, or precinct, to be inſpected at all reaſonable times by any of the ſaid juſtices, or by any other perſon or perſons contributing to the rates of ſuch county, riding, diviſion, city, town, liberty, or precinct, without fee or reward.

III. Provided always, and be it further enacted, That it ſhall and may be lawful for the ſaid juſtices of the peace to build any new gaol, in any part of the county, riding, diviſion, city, town, liberty, or precinct, in caſe (in the preſentment

Juſtices to give publick notice previous to their taking preſentments into conſideration, &c.

Contracts to be entered in a book.

Juſtices may build a new gaol in any part of the county, &c.

if the pre-
fentment
points out the
improper fitu-
ation of the
old one.

made of the inconvenience of fuch old gaol) it be exprefsly pre-
fented, that the place wherein the old gaol is fituate is impro-
per, and that the faid gaol ought to be removed to fome other
part of the county, riding, divifion, city, town, liberty, or pre-
cinct; and in cafe three fourths in number of the juftices affem-
bled at two fucceffive quarter feflions (notice having been
given three times at leaft, in fome publick newspaper circulat-
ing as aforefaid, of the time of the holding, and of the place to
which fuch gaol is intended to be removed) fhall approve of
fuch removal, but not otherwife.

New gaols to
be divided in-
to feveral dif-
tinct apart-
ments.

IV. And be it further enacted, That the faid juftices of the
peace, as well in the choice of the ground, as in determining
upon the plans for building, rebuilding, enlarging, or altering
fuch gaols as aforefaid, and the yards, courts, and outlets there-
of, fhall, as far as conveniently may be, purfue fuch meafures,
and adopt fuch plans, as fhall provide feparate and diftinct
places of confinement, and dry and airy cells, in which the fev-
eral prifoners of the following descriptions refpectively may be
confined, as well by day as by night; namely, prifoners con-
victed of felony; prifoners committed on charge or fufpicion of
felony; prifoners committed for, or adjudged to be guilty of,
mifdemeanors only; and debtors; the males of each clafs to be
feparated from the females; and a feparate place of confine-
ment to be provided for fuch prifoners as are intended to be
examined as witneffes on behalf of any profecution of any in-
diftinctment for felony; and alfo, feparate infirmaries, or fick
wards, for the men and the women; and alfo a chapel, and
convenient warm and cold baths, or bathing tubs, for the ufe of
the prifoners, in fuch manner as is directed by an act made in
the fourteenth year of the reign of his prefent Majefty, intituled,
*An act for preferving the health of prifoners in gaol, and pre-
venting the gaol diftemper*; and care to be taken that the prifon-
ers fhall not be kept in any apartments under ground.

14 Geo. 3. c.
59.

Juftices may
purchase
lands, houfes,
&c. for en-
larging and
accommodat-
ing gaols.

V. And whereas the gaols within and belonging to feveral counties,
ridings, divifions, cities, towns, liberties, and precincts, and the
yards, courts, and outlets thereof, are very fmall, clofe, and confined,
and fuch gaols are thereby rendered very unhealthy, from the impoffi-
bility of accommodating the unhappy perfons confined therein with a
fufficient fupply of frefh air, water, and other neceffary conveniences;
be it enacted by the authority aforefaid, That the faid juftices
(after prefentment made as aforefaid) fhall have full power and
authority to purchase any houfes, buildings, lands, tenements,
hereditaments, ways, waters, and watercourfes, for the purpofe
of building, enlarging, and accommodating fuch gaols; and to
direct the houfes, buildings, lands, tenements, hereditaments,
eafements, and privileges, which fhall have been fo purchafed
as aforefaid, to be conveyed to fuch perfon or perfons as the
faid juftices fhall think fit, in truft and for the ufes and purpofes
aforefaid; and fuch houfes, buildings, lands, tenements, and
hereditaments, when inclofed and added thereto, fhall be deem-

ed and taken to be a part of such gaols, and to be part of such county, riding, division, city, town, liberty, or precinct, where such gaol is situated, to all intents and purposes whatsoever.

VI. And be it further enacted by the authority aforesaid, That when ever the said justices of the peace, in their said general quarter sessions assembled, shall deem it necessary that the felons, debtors, and other prisoners, shall be removed, either for the purpose of repairing their old gaol, or using the materials thereof in building a new gaol, on giving sufficient notice to the sheriff of such county, riding, division, city, town, liberty, or precinct, it shall and may be lawful for the said sheriff to remove such felons, debtors, and other prisoners to the house or houses of correction belonging to such county, riding, division, city, town, liberty, or precinct, or such other place or places of confinement, as the said justices so assembled as aforesaid, with the consent of the said sheriff, shall approve of, and to confine them there during the time such new gaol shall be building, or old gaol repairing or enlarging; and that when such gaol shall be made fit for the reception and safe keeping of such felons, debtors, and other prisoners, then it shall be lawful for the said sheriff to remove thither all such felons, debtors, and other prisoners as shall then be in his custody; and the expence of such removal or removals to and from such place or places of confinement, and the expence which may be incurred by the said sheriff on account of the safe custody of such prisoners in such house of correction, or other place or places, shall be allowed and paid by such county, riding, division, city, town, liberty, or precinct; and such removal or removals as aforesaid shall not be deemed or taken to be an escape; provided, that nothing herein contained shall extend, or be construed to extend, to discharge the sheriff or gaoler from being answerable for the actual escape of any prisoner in his custody.

Prisoners may be removed for the building a new gaol, or repairing the old one.

Such removal not to be deemed an escape.

VII. And be it further enacted by the authority aforesaid, That the justices of the peace, in their respective general quarter sessions assembled, are hereby authorized to nominate and appoint one or more justice or justices of the peace of and for their respective counties, ridings, divisions, cities, towns, liberties, or precincts, to visit and superintend the gaols thereunto belonging, and from time to time to make a report of the state thereof to the court of the said general quarter sessions; which court is hereby authorized, upon such report, to order and direct any sum or sums of money, not exceeding the sum of two hundred pounds in any one year, to be laid out upon the repair or repairs of such gaols, as they shall deem requisite, (notwithstanding such want of repair shall not have been presented by the grand jury or grand juries, at the assizes, great sessions, or general gaol delivery, for such county, riding, division, city, town, liberty, or precinct, as aforesaid); and if it shall at any time happen that the said gaols, or any of them, by any breach being made in the same, from attempts of prisoners to escape, or other casualties or accidents, shall be rendered unsafe for the

Quarter sessions may appoint a justice to inspect the county gaols, and to report the state thereof to the court.

Accidental damages may be repaired by order of a justice.

custody of the prisoners therein confined, between the several times of holding the general quarter sessions, it shall and may be lawful for any one or more justice or justices for such county, riding, division, city, town, liberty, or precinct, to order the damages occasioned thereby to be immediately so far repaired as may be necessary and sufficient for the safe custody of such prisoners; and such justice or justices shall report the same to the next court of general quarter sessions to be holden for such county, riding, division, city, town, liberty, or precinct, which court is hereby authorized to order the payment of such sum or sums of money as shall have been necessarily expended in such reparation or reparations as aforesaid.

Expences of rebuilding or repairing county gaols, how to be defrayed.

11 Geo. 2. c. 29, 13 Geo. 2. c. 18.

VIII. *And, in order to defray the expences of building, rebuilding, finishing, repairing, or enlarging such gaols, and the yards, courts, and outlets thereto belonging as aforesaid, and of putting up houses, buildings, lands, tenements, hereditaments, easements, or privileges, and other the expences necessary for the execution of this act;* be it further enacted by the authority aforesaid, That in all such cases where such gaols are repaired at the expence of the county, riding, division, city, town, liberty, or precinct, to which the same belong, the justices of the peace, at their general quarter sessions, may and shall cause such sums of money, as shall be necessary for all or any of the purposes aforesaid, to be raised in the same manner as rates are directed to be raised by two acts made in the twelfth and thirteenth years of the reign of his late majesty King George the Second, *for the more easy assessing, collecting, and levying of county rates.*

When the amount of any estimate for building, enlarging, &c. shall be very high, the justices in session may mortgage the rates, &c.

IX. *And whereas the expences of building, rebuilding, enlarging, or removing and fitting up gaols, may in some cases become very burthensome on the occupiers of land, and other the contributors to the county rates, in case the said expences should be raised in the manner herein-before mentioned;* be it therefore enacted, That when it shall appear that the amount of any estimate approved by the justices for the building, rebuilding, enlarging, or removing and fitting up any gaol or gaols, under the powers of this act, shall exceed one half of the amount of the ordinary annual assessment for the county rate for any county, riding, division, city, town, liberty, or precinct, (such ordinary assessment to be taken on a mean proportion of the said rate for the last five years preceding), that then, and in such case, it shall and may be lawful for the justices of the peace, within the respective limits of their commissions, so assembled in their quarter sessions as aforesaid, from time to time to borrow and take up, by mortgage of the rates herein mentioned, by instruments in the form contained in the schedule hereunto annexed, or to that or the like effect, any sums not less than fifty pounds, nor exceeding one hundred pounds each, at legal or lower interest, as to them, or the major part of them, (such major part not being less than five), shall appear necessary and expedient for the purposes aforesaid; and to secure all and every such sum and sums of money so borrowed, upon the credit of the rates to be raised upon

upon fuch county, riding, divifion, city, town, liberty, and precinct refpectively; and the faid juftices fo afsembled as aforefaid, are hereby authorized to treat and agree with any perfon or perfons for the loan of any fuch fum or fums of money, and by their order to confirm and eftablifh every fuch agreement as aforefaid; and every fuch agreement fo eftablifhed by fuch order, and figned by the chairman and two or more juftices prefent at the time of making fuch order, fhall be, and the fame is hereby declared to be effectual for fecuring to the perfon or perfons fo advancing any fum or fums of money, his, her, or their executors, administrators, and assigns, all and every fuch fum or fums of money, with intereft for the fame, on fuch terms as in and by fuch agreement or agreements refpectively fhall be for that purpofe ftipulated; and copies or extracts of all fuch agreements or fecurities fhall be kept with the clerk of the peace, or other proper officer having the cuftody of the records of the quarter feflions of fuch county riding, divifion, city, town, liberty, or precinct refpectively; and all and every perfon and perfons to whom any fuch fecurity or fecurities fhall be made, or who fhall be entitled to the money thereby fecured, is and are hereby impowered (by indorfing his, her, or their name or names on the back of fuch fecurity or fecurities) to transfer and affign the fame, and his, her, or their right to the principal money and intereft thereby fecured, unto any perfon or perfons; and every fuch assignee may in like manner transfer the fame again, and fo *toties quoties*; and the perfon or perfons to whom fuch fecurity or fecurities, or any fuch assignment thereof, fhall be made, and his or their refpective executors, administrators, and assigns, fhall be creditors upon the faid rates in an equal degree one with another, and fhall not have any preference with refpect to the priority of any monies fo advanced.

Agreements by order of the juftices, figned by the chairman, &c. to be an effectual fecurity.

Securities may be transferred.

X. And be it further enacted, That the faid juftices are hereby authorized and required, not only to charge the rates to be raifed upon fuch county, riding, divifion, city, town, liberty, or precinct, with the intereft of the money fo borrowed on fuch fecurities, but alfo with the payment of a further fum, equal at leaft to the fum fo charged for the intereft of fuch fecurities; which faid fums fhall be affeffed on fuch county, riding, divifion, city, town, liberty, or precinct, in fuch manner as county rates are directed to be affeffed by the laws now in being, and paid and applied, under the direction of the faid juftices, to the difcharge of the intereft, and of fo many of the principal fums on the faid fecurities as fuch money will extend to difcharge in each year, until the whole of the money for which fuch fecurities fhall be made, and the intereft thereof, fhall be fully paid and difcharged; and the faid juftices are required to fix one or more day or days in each year, on which fuch payment fhall be made, and fhall make orders for affeffments in due time, fo as to provide for the regular payment thereof; and they are hereby required to appoint a proper per-

To what extent the juftices may charge the county rates.

A regular account to be entered in a

book of all receipts and payments under this act;

son to keep an exact and regular account of all the receipts and payments under the authority of this act, in a book or books, separate and apart from all other accounts, and the same to adjust and settle in such manner that it may easily be seen what interest is growing due, and what principal money has been discharged, and what remains due; and the said book or books so adjusted and settled, to deliver into court at every general or quarter sessions to be held for any such county, riding, division, city, town, liberty, or precinct; and the said justices are required, at every such sessions, carefully to inspect all such accounts, and make orders for carrying the several purposes of this act into execution, in such manner as to them shall seem meet; and if at any time it shall appear to the said justices, that the person so appointed has neglected the said order, and has not duly, and without delay, applied the money in his hands to the purposes hereby directed, such person shall forfeit double the amount of the money which shall not have been applied to the purposes of this act; and the said justices, so assembled in session as aforesaid, shall direct in what order such securities shall be discharged, by drawing lots, or otherwise, as they shall think fit, first discharging all such securities which shall bear the highest interest.

which shall be inspected by the justices at every sessions, &c.

Money borrowed under this act to be paid within a limited time.

XI. Provided always, and be it further enacted, That the justices of the peace, in their respective quarter sessions, shall, and they are hereby required to make provisions by means of the rates (which they are hereby authorized to make), and by their orders and directions (which they are hereby authorized to give), in such manner, that the whole money to be borrowed under the authority of this act shall be fully paid and discharged, within a time to be limited, not exceeding fourteen years from the time of borrowing the same.

Bodies politic, &c. may sell and convey lands, &c.

XII. And be it further enacted, That it shall and may be lawful for the King's most excellent majesty, his heirs and successors, and for all bodies politic and corporate, and also for all guardians, committees, husbands, trustees, and attorneys, of any person or persons being infants, lunatics, idiots, under coverture, or any other disability, and also for all other persons who are or shall be seized, possessed of, or interested in, any houses, buildings, lands, tenements, hereditaments, easements, or privileges, which shall be deemed necessary for the purposes of this act, to contract or agree for, and to sell, convey, and assure such houses, buildings, lands, tenements hereditaments, easements, and privileges, unto such person or persons as shall be named by the justices, in trust, and for the purpose of erecting new gaols, or enlarging the old gaols, and the yards, courts, and outlets thereunto belonging; and all such contracts, agreements, sales, conveyances, and assurances, shall be valid and effectual in law, to all intents and purposes whatsoever, any law, statute, usage, or custom, to the contrary notwithstanding.

Purchase money, exceed-

XIII. And be it further enacted, That all sums of money which

which ſhall be agreed to be paid to any corporation, guardian, committee, huſband, truſtee, or attorney, for or on behalf of any infants, lunatics, idiots, femmes covert, or ceſſuque truſt, or to any other perſon or perſons whoſe houſes, buildings, lands, tenements, hereditaments, eaſements, and privileges, ſhall be limited in ſtrict ſettlement, for the purchaſe of any ſuch lands, tenements, and hereditaments, ſhall, in caſe ſuch ſums of money ſhall exceed the ſum of one hundred pounds, be laid out by ſuch corporations, guardians, committees, huſbands, truſtees, or attorneys, or any perſon or perſons ſeiſed of ſuch houſes, buildings, lands, tenements, hereditaments, eaſements, or privileges, ſo limited in ſtrict ſettlement, as ſoon as conveniently may be, in the purchaſe of lands, tenements, and hereditaments, in fee ſimple, to be conveyed to or to the uſe of ſuch corporations, guardians, committees, huſbands, truſtees, or attorneys, and to and for ſuch perſon or perſons, and for ſuch eſtate and eſtates, and to, for, and upon, and ſubject to ſuch uſes, limitations, remainders, and contingencies, as the houſes, buildings, lands, tenements, hereditaments, eaſements, or privileges, for and in reſpect whereof ſuch purchaſe money ſhall be paid as aforeſaid, ſhall be limited, ſettled, and aſſured, at the time ſuch purchaſe or contract ſhall be made in manner aforeſaid, or ſuch as ſhall then be capable of taking effect; the charges of ſuch conveyances and ſettlements to be paid in the ſame manner as the other expences relating to the gaol; and in the mean time, and till ſuch purchaſe or purchaſes ſhall be made, ſuch money, whether the ſame ſhall or ſhall not exceed the ſum of one hundred pounds, ſhall be laid out by ſuch corporations, or other perſons for the time being intereſted therein, in ſome government ſecurities, in the names of two perſons, one to be nominated by the party or parties for the time being intereſted therein, and the other by the juſtices aforeſaid; and the intereſt ariſing from ſuch ſecurities ſhall be paid to ſuch perſon or perſons reſpectively as would have been entitled to the rents and profits of ſuch lands, tenements, hereditaments, eaſements, and privileges, in caſe the ſame had not been ſold, or would for the time being be entitled to the rents and profits of ſuch lands, tenements, and hereditaments, ſo to be purchaſed, in caſe the ſame were purchaſed and ſettled as aforeſaid.

XIV. And be it further enacted, That if any ſuch corporations, guardians, committees, huſbands, truſtees, and attorneys, or any perſon or perſons for the time being intereſted in any ſuch houſes, buildings, lands, tenements, hereditaments, eaſements, or privileges, which ſhall be deemed neceſſary for the purpoſes of building or enlarging any ſuch gaol, and other the purpoſes of this act, upon notice in writing to him, her, or them, given, or left at the houſe or houſes, or other place or places of abode of ſuch perſon or perſons, or of the principal officer or officers of any ſuch corporation, ſhall, for the ſpace of twenty-one days after ſuch notice ſo given or left as aforeſaid, neglect or reſuſe to treat, or ſhall reſuſe to accept ſuch price as ſhall

ing 100 l. to be laid out in purchaſe of lands, &c. ſubject to the ſame uſes, &c.

And until ſuch purchaſes are made, the money to be laid out in government ſecurities.

If the parties reſuſe to treat, &c.

the value to
be aſcertained
by a jury.

ſhall be offered by the juſtices or their agent, or ſhall otherwiſe not agree for the ſale of ſuch houſes, buildings, lands, tenements, hereditaments, eaſements, or privileges, or if, by reaſon of abſence or incapacity, they ſhall be prevented from treating for ſuch ſale, then, and in every ſuch caſe, the juſtices of the peace, at their general or quarter ſeſſions, or any two or more of them appointed for that purpoſe, ſhall cauſe the value of ſuch houſes, buildings, lands, tenements, hereditaments, eaſements, and privileges, to be enquired into and aſcertained by a jury of indifferent men of the county, riding, diſtriſt, city, town, liberty, or precinct, wherein the ſame ſhall be ſituated; and to that end ſhall ſummon and call before ſuch jury, and examine upon oath (which oath any one or more of ſuch juſtices of the peace is and are hereby impowered to adminiſter) any perſon or perſons whomſoever; and ſuch juſtices of the peace, or any two of them, ſhall, by ordering a view, or otherwiſe, uſe all ways and means for the information of themſelves and of ſuch jury in the premiſes; and when ſuch jury ſhall have enquired of and aſcertained the value of ſuch houſes, buildings, lands, tenements, hereditaments, eaſements, and privileges, the ſaid juſtices of the peace ſhall thereupon order that the ſum or ſums which ſhall ſo appear to be the value of ſuch houſes, buildings, lands, tenements, hereditaments, eaſements, and privileges, ſhall be paid in ſuch manner as is herein-before directed touching the money to be paid for ſuch houſes, buildings, lands, tenements, hereditaments, eaſements, or privileges, for ſale whereof the perſon or perſons intereſted ſhall contract, and agree in manner aforeſaid; which verdict or inqueſtition, and order, ſhall be filed of record by the clerk of the peace, or other officer having the cuſtody of the records of the ſaid county, riding, diſtriſt, city, town, liberty, or precinct, and ſhall be final and conclufive to all intents and purpoſes whatſoever, againſt all parties and perſons whomſoever claiming, or to claim, in poſſeſſion, remainder, reversion, or otherwiſe, their heirs and ſucceſſors, as well abſent as preſent, infants, lunatics, idiots, and perſons under coverture, or any other diſability whatſoever, corporations, guardjans, committees, huſbands, truſtees, and attornies, or any other perſon or perſons whomſoever.

verdict of
jury, &c. to be
final.

How the jury
ſhall be ſum-
moned.

XV. *And, for the ſummoning and returning ſuch juries,* be it further enacted, That ſuch juſtices of the peace, or any two of them, may iſſue their warrant or warrants to the ſheriff or bailiff of any particular county, riding, diſtriſt, city, town, liberty, or precinct, within the limits of which the houſes, buildings, lands, tenements, hereditaments, eaſements, or privileges, ſhall be ſituated, requiring him to impanel, ſummon, and return an indifferent jury of twenty-four perſons, qualified to ſerve on juries, to appear before the ſaid juſtices or any two of them, at ſuch time and place as in ſuch warrant or warrants ſhall be appointed; and ſuch ſheriff or bailiff is and are hereby required to impanel, ſummon, and return ſuch number of perſons

persons accordingly, and, out of the persons ſo impanelled, ſummoned, and returned, or out of ſuch of them as ſhall appear upon ſuch ſummons, the juſtices of the peace, or any two of them, ſhall, and they are hereby impowered and required to draw by ballot, and to ſwear or cauſe to be ſworn, twelve men, who ſhall be the jury for the purpoſes aforeſaid; and, in default of a ſufficient number of jurymen ſo returned, the ſaid ſheriff or bailiff ſhall take ſuch other honeſt and indifferent men of the by-ſtanders, or that can ſpeedily be procured to attend that ſervice, to make up the number twelve; and all persons concerned ſhall have their lawful challenges againſt any of the ſaid jurymen when they come to be ſworn: and the ſaid juſtices of the peace, or any two of them, ſhall have power from time to time to impoſe a fine or fines on ſuch ſheriff or bailiff, or his deputy or deputies, for making default in the premiſes, and on any of the persons who ſhall be ſummoned and returned on ſuch jury, and who ſhall not appear, or, appearing, ſhall reſuſe to be ſworn on the ſaid jury, or, being ſworn, ſhall reſuſe to give, or ſhall not give a verdict, or ſhall in any other manner wilfully neglect his or their duty therein; and alſo on any perſon who, being ſummoned and required to give evidence before the ſaid jury, ſhall reſuſe or neglect to appear, or, appearing, ſhall reſuſe to be ſworn or to give evidence, ſo that no ſuch fine be more than ten pounds, nor leſs than twenty ſhillings, on any one perſon for one offence.

Jurymen may
be challenged.

Juſtices may
fine the ſheriff,
bailiff, &c.
making default.

XVI. And be it further enacted, That in caſe any jury ſhall give in and deliver a verdict for more money, as the value of ſuch houſes, buildings, lands, tenements, hereditaments, eaſements, or privileges, ſo to be purchaſed, than what ſhall have been offered for the purchaſe thereof by the ſaid juſtices of the peace, or their agent, to any perſon capable of contracting for the ſame, the coſts and expences of ſummoning and maintaining the jury and witneſſes ſhall be borne and paid out of the ſame fund as the expences of the buildings to be erected thereon; but if ſuch jury ſhall give in and deliver a verdict for no more, or for leſs money, than the money which ſhall have been ſo offered by ſuch juſtices of the peace, or their agent, then the coſts and expences of ſummoning and maintaining the ſaid jury and witneſſes ſhall be borne and paid by the perſon or persons with whom ſuch controverſy or diſpute, touching the value of ſuch houſes, buildings, lands, tenements, hereditaments, eaſements, or privileges, ſhall ariſe.

Expences of
jury, &c. how
to be defrayed.

XVII. And be it further enacted, That, upon payment of the money ſo ordered to be paid, for the purchaſe of ſuch houſes, buildings, lands, tenements, hereditaments, eaſements, or privileges, or (upon reſuſal or inability to receive the ſame) leaving the ſame in the hands of ſuch perſon as the juſtices in their quarter ſeſſions ſhall appoint, for the uſe of the party or parties intitled thereto; or in caſe of the ſaid party or parties not being to be found, then, upon notice to be publiſhed in ſome paper or papers circulating in or near the ſaid county, riding, diſtrict, or city,

On payment
of purchaſe
money for
lands, &c.
juſtices may
take poſſeſſion
thereof.

city, town, liberty or precinct, where such gaol is to be built or enlarged, of the payment or investment of such purchase-money, the said lands, tenements, hereditaments, easements, and privileges so purchased, shall vest in the person or persons who shall be authorised to take and hold the same by virtue of this act, for the purposes aforesaid; and it shall be lawful for the said justices, or any two of them, their workmen or agents, to enter upon and take possession of, and make use of such houses, buildings, lands, tenements, hereditaments, easements, and privileges, and every part thereof; and thereupon all such persons and parties who were the owners or occupiers thereof, shall be divested of all right and title in and to the same, and every part thereof.

Clause relative
to those coun-
ties which are
divided into
several rid-
ings, &c.

XVIII. *And whereas, in several counties in England, there are several and distinct commissions of justices of the peace, for the several ridings or divisions into which such counties are divided, and several and distinct courts of sessions of the peace are holden for each of such ridings or divisions respectively, and in such counties there are not any courts of general or quarter sessions holden for the whole county at large;* be it therefore enacted, That in all such counties as aforesaid, it shall and may be lawful for the justices of the peace in and for such several ridings or divisions respectively, and they are hereby required, at the general quarter sessions which shall be holden next after such presentment of the gaol shall have been made as aforesaid, to nominate and appoint three or more justices of the peace in and for such riding or division for which such general quarter sessions shall be holden, which said justices of the peace, so nominated and appointed by each of such ridings or divisions, are hereby authorized and required, within one calendar month after such nomination and appointment as aforesaid, (due notice thereof having been previously given to such justices, by the clerk of the peace of such divisions respectively), to meet and assemble at such gaol which shall have been so presented as aforesaid; and the said justices of the peace, or the major part of them, then there assembled, (such major part not being less than five in number), shall hold a special sessions at the said gaol, for the purpose of receiving plans, and contracting for the building, rebuilding, repairing, enlarging, or altering, such gaol, and the yards, courts and outlets thereto belonging, under the like restrictions, and subject to the like regulations, as are herein-before by this act made and provided for such counties as are not divided into such ridings or divisions, in manner as aforesaid; and the said last-mentioned justices of the peace shall make their report to the general quarter sessions of the peace of such ridings or divisions respectively, of the several plans, estimates, and contracts, which shall have been made and entered into in manner aforesaid, and also a report of the sum or sums of money necessary to be raised and levied on each riding or division, as their quota or proportion of the expence to be incurred on the several accounts aforesaid; which said sum or sums of money shall be raised and levied on each

each riding or division, in like manner as county rates are now raised and levied.

XIX. Provided always, and be it further enacted, That no justice of the peace who shall, under the authority of this act, do any matter or thing in the execution hereof, shall be capable of having any beneficial interest or concern whatsoever, either in his own name, or in the name of any other person in trust for him, in any contract or agreement to be made under the authority of this act, or shall, for any design or plan he may deliver or produce, receive any benefit or emolument whatsoever.

No justice acting under this act, to be interested in any contract, &c.

XX. And whereas the preventing gaolers from selling any liquors, or deriving any profit from the sale of liquors, may be a great means of preventing drunkenness, riots, and other disorders in gaols, and of preserving good order therein; and it may be proper to give sufficient power and authority to the justices of the peace in their sessions, in certain cases, to allow salaries to gaolers, in lieu of the profits which are now derived from the sale of liquors; be it therefore enacted,

That, from and after the said first day of September, one thousand seven hundred and eighty-four, it shall and may be lawful for the justices of the peace of any county, riding, division, city, town, liberty, or precinct, within that part of Great Britain called England, or the principality of Wales, at the general quarter sessions of the peace, or some special adjournment of the same, held for such express purpose, and they are hereby authorized and empowered, if it shall appear to them necessary or proper, to appoint such salaries or allowances to such gaolers and their assistants, in the several gaols within their respective jurisdictions, and to vary the same, from time to time, as to them shall seem meet; and to order and direct the said salaries and allowances to be paid out of the county rate, by the treasurer of such county, riding, division, city, town, liberty, or precinct, upon a certificate, signed by the chairman of such quarter sessions, specifying the salaries and allowances so directed to be made.

From Sept. 1, 1784, justices may appoint salaries to gaolers, in lieu of profits arising from the sale of liquors.

County treasurer to pay the salaries.

XXI. Provided always, and be it enacted, That it shall not be lawful for any chairman of any quarter sessions or adjournment thereof, to sign such certificate for such salaries or allowances to be granted under this act, unless such salaries or allowances shall have been settled at some general quarter sessions of the peace, or some special adjournment thereof, and notice shall have been given fourteen days at least before the holding such general quarter sessions, or such adjournment thereof, by two several advertisements inserted in some newspaper printed and circulated in the county, riding, division, city, town, liberty, or precinct, in which such gaols are situated, and where such salaries or allowances are to be granted to the gaolers, of an intended application for the granting such salaries or allowances; which said advertisements shall be signed by the clerk of the peace of such county, riding, division, city, town, liberty, or precinct, or his deputy, for the time being.

Chairman of the sessions not to sign a certificate for any such payment, unless the salaries have been settled at a general quarter sessions, &c.

XXII. And

From June 24,
1785, no
gaoler to suf-
fer tippling
or gaming,
or to sell li-
quors, in any
such prison,

on penalty of
10l. to be re-
covered by
distress.

Application
thereof.

On failure of
distress, the
offender may
be committed.

How justices
to proceed for
conviction of
offenders.

Form of con-
viction.

XXII. And be it further enacted, That, from and after the twenty-fourth day of *June*, one thousand seven hundred and eighty-five, no gaoler, or any person or persons in trust for or employed by such gaoler, shall suffer tippling or gaming in such prison; or shall sell or dispose of, or permit or suffer to be sold or disposed of, or be capable of being licensed to sell or dispose of, any wine, beer, ale, or other liquors; or have any beneficial interest or concern whatsoever in the sale or disposal of any liquors of any kind, or in any tap-house, tap-room, or tap, under the penalty of ten pounds for every such offence, to be recovered by distress and sale of the offender's goods and chattels, by warrant under the hands and seals of any two justices of the peace acting for the county, riding, division, city, town, liberty, or precinct, within which such gaol is situated, (which warrant such justices are hereby required to grant), upon the confession of the party or parties, or upon the information of any witness or witnesses, upon oath, (which oath such justices are hereby empowered to administer); and the said penalty, after the charges of recovering the same shall be deducted, shall be paid one moiety to the informer, and the other moiety to the use of the prisoners confined within such gaol; and in case sufficient distress cannot be found, then it shall be lawful for such justices to commit such offender or offenders to the house of correction for the county or place where the offence shall be committed, there to remain, without bail or mainprize, for any time not exceeding three calendar months, unless such penalty, and all reasonable charges, shall be sooner paid and satisfied.

XXIII. And be it further enacted, That all justices of the peace before whom any person shall be convicted of any offence against this act, shall and may cause the conviction to be drawn up in the following form, or to the like effect; that is to say,

County, &c. of	} <i>B</i> <i>E</i> it remembered, That on the	day of
	in the	year of the
	reign of his Majesty	<i>A. B. is convicted</i>
	before	of his Majesty's justices of
	the peace for the said county, or riding, division, city, town,	
	liberty, or precinct, [as the case shall be], by virtue of an	
	act of parliament made in the twenty-fourth year of the	
	reign of his majesty King George the Third, intituled,	
	[here set forth the title of the act, and specify the of-	
	fence, and the time and place when and where the	
	same was committed.]	

Given under our hands and seals, the day and year aforesaid.

Limitation of
actions.

XXIV. And be it further enacted, That if any action or suit shall be brought or commenced against any person or persons for any thing done in pursuance of this act, every such action or suit shall be brought or commenced within six calendar months

months next after the fact committed, and not afterwards; and shall be laid and brought in the county or place where the cause of action shall arise, and not elsewhere; and the defendant or defendants in such action or suit shall and may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereon, and that the same was done in pursuance and by the authority of this act; and if it shall appear to have been so done, or if any action or suit shall be brought after the time before limited for bringing the same, or shall be brought in any other county or place than as aforesaid, then and in such case the jury shall find for the defendant or defendants; or if the plaintiff or plaintiffs shall become nonsuit, or suffer a discontinuance of his, her, or their action or suit, after the defendant or defendants shall have appeared, or if a verdict shall pass against the plaintiff or plaintiffs, or if, upon demurrer or otherwise, judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for the same as any defendant hath for costs of suit in other cases by law.

General issue.

Treble costs.

XXV. And be it further enacted, That this act shall be deemed and taken to be a publick act; and all judges, justices, and other persons, shall take notice thereof as such, without specially pleading the same.

The SCHEDULE herein-before referred to.

FORM of mortgage and charge upon the county rates for securing the money borrowed.

WE A. B. one of his Majesty's justices of the peace, and chairman of the court of quarter sessions of the peace for the county, &c. of (as the case shall be), *holden at* the day of

C. D. and E. F. esquires, two other of his Majesty's justices of the peace acting for the said county, &c. and assembled in the said court, in pursuance of the powers to us given by an act passed in the twenty-fourth year of the reign of his majesty King George the Third, intituled, &c. [insert the title of the act] do hereby, in open court, mortgage and charge all the rates to be raised within the said county, &c. (as the case shall be), under the description of county rates, by the laws now in being, with the payment of the sum of which G. H. of hath proposed and agreed to lend, and hath now actually advanced and paid towards defraying the expences of building, repairing, &c. (as the case shall be), the gaol for the said county, &c. And we do hereby confirm and establish the same, unto the said G. H. his executor, administrators, and assigns, for securing the repayment of the said sum of and interest for the same, after the rate of

per

centum per annum; and do order the treasurer for such county, &c. or other person, (as the case shall be), to pay the interest of the

C A P. LV.

An act to explain and amend an act, made in the twenty-second year of the reign of his present Majesty, intituled, An act for the amending and rendering more effectual the laws in being relative to houses of correction.

Preamble.

Recital of 22

Geo. 3. c. 64.

WHEREAS by an act, passed in the twenty second year of the reign of his present Majesty, intituled, An act for the amending and rendering more effectual the laws in being relative to houses of correction; reciting, amongst other things, That in many counties the houses of correction were insufficient in number or deficient in building, and the apartments in them were very ill accommodated to the purposes for which they were intended, by means whereof, and from a want of due order, employment, and discipline in such houses of correction, the persons sent thither for correction and reformation frequently grew more dissolute and abandoned during their continuance in such houses, it was enacted, That the justices of peace in every county, riding, division, city, liberty, and precinct, within England and Wales, at their respective quarter sessions of the peace, to be holden next after Midsummer from the time of passing the said act, should, and they were thereby required to nominate one or more justice or justices of the peace, within their respective jurisdictions, divisions, or districts, whom they should think most proper, to examine and inspect the several houses of correction within the same; and the justice or justices so to be nominated were required carefully and diligently to inspect the same with all convenient speed, and report his or their opinion to the justices of their respective jurisdictions at the Michaelmas quarter sessions then next following; (as to the state and condition thereof, and the increase of number, or additions or alterations which they might judge necessary to make them more convenient and useful, having regard to the staffing of the several persons who should be kept there, according to the nature of their crimes and punishments, and to the providing proper places for the employment of such persons who were committed to hard labour, and to the keeping every part of such prisons clean and wholesome; and the said justice or justices so to be nominated, were thereby required to employ proper and skilful persons to make plans and estimates of new buildings, or the additions or alterations which he or they should think necessary in the present buildings, to make them answer the several purposes of the said act; which plans, together with the report of the said justice or justices, were to be laid before the court at the said Michaelmas quarter sessions; or if, from any difficulties or accidents, such reports should not happen to be made at that sessions, then, and in that case, the same should be made at or before the Epiphany quarter sessions then next following); which court was thereby authorized and required to consider the same, and if they approved such plans,

plans, they might adjourn the quarter ſeſſions to a further day, for receiving propoſals from perſons inclined to undertake ſuch work, of which due notice ſhould be publiſhed, and then to contract with ſuch perſons whom they ſhould think moſt proper to do the ſame; or if they diſapproved ſuch plans or eſtimates, to direct ſuch others to be made as they ſhould think fit, and adjourn their quarter ſeſſions to ſome further day, to receive ſuch new plans and eſtimates, and alſo propoſals from perſons inclined to undertake the work; and the juſtices, in ſettling and adjusting ſuch plans, were thereby required to provide ſeparate apartments for all perſons committed upon charges of felony, or convicted of any theft or larceny, and committed to the houſe of correction for puniſhment by hard labour, under or by virtue of the laws in being, in order to prevent any communication between them and the other priſoners; and alſo proper apartments, covered or open as ſhould be found moſt convenient, for employing the ſeveral perſons who were to be kept to hard labour; and they were alſo to provide ſeparate apartments, in each diviſion of the ſaid houſe of correction, for the women who ſhould be committed thither; and the ſaid juſtices, at their general quarter ſeſſions, were thereby impowered, from time to time, upon any ſuch report to them made, to make ſuch order thereupon as to them ſhould ſeem juſt, and the nature of the caſe might require: and whereas the juſtices of the peace, within many of the ſaid juriſdictions, have omitted to make ſuch nomination, and to cauſe the neceſſary examinations, inſpections, and proceedings to be made within the times preſcribed by the ſaid act, whereby the wholeſome regulations, and the benefit intended by the ſaid act, will be loſt to the publick within ſuch juriſdictions, unleſs further time be given for that purpoſe; for remedy whereof, be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful for the juſtices of the peace for any county, riding, diviſion, city, liberty, or precinct, within England and Wales, who have omitted to examine and inſpect into the ſtate of the houſes of correction within their reſpective limits, and to proceed in repairing, altering, and regulating the ſame, according to the directions and intention of the ſaid recited act, to enquire into, examine, inſpect, and fully to execute and enforce the ſame, at the next or any ſubſequent quarter ſeſſion of the peace to be holden after the paſſing of this act, as fully and effectually, to all intents and purpoſes, as they could or might have done if they had proceeded therein at the quarter ſeſſions held next after Midſummer, Michaelmas, or Chriſtmas, from the time of paſſing the ſaid act; any thing therein, or in any other act, contained to the contrary thereof in any wiſe notwithstanding.

Juſtices who have not inſpected into the ſtate of the houſes of correction within their limits, according to the directions of the recited act, may do it, and execute the ſame, at the next quarter ſeſſion, &c,

II. And whereas the expences of building, rebuilding, enlarging, or removing and fitting up houſes of correction, may in ſome caſes become very burthenſome on the occupiers of land, and other the contributors to the county rates, in caſe the ſaid expences ſhould be raiſed in the manner herein-before mentioned; be it therefore enacted,

When the amount of any eſtimate for building, enlarging, &c. ſhall be very high, the juſtices in ſeſſion may mortgage the rates, &c.

That where it ſhall appear that the amount of any eſtimate, approved by the juſtices, for the building, rebuilding, enlarging, or removing, and fitting up any houſe or houſes of correction, under the powers of this act, ſhall exceed one half of the amount of the ordinary annual aſſeſſment for the county rate for any county, riding, diſtriſion, city, town, liberty, or preſinct, (ſuch ordinary aſſeſſment to be taken on a mean proportion of the ſaid rate for the laſt five years preceeding), that then, and in ſuch caſe, it ſhall and may be lawful for the juſtices of the peace, within the reſpective limits of their commiſſions, ſo aſſembled in their quarter ſeſſions as aforeſaid, from time to time to borrow and take up on mortgage of the rates herein-mentioned, by inſtruments in the form contained in the ſchedule hereunto annexed, or to that or the like effect, any ſums not leſs than fifty pounds, nor exceeding one hundred pounds each, at legal or lower intereſt, as to them, or the major part of them, ſuch major part not being leſs than five, ſhall appear neceſſary and expedient for the purpoſes aforeſaid, and to ſecure all and every ſuch ſum and ſums of money ſo borrowed, upon the credit of the rates to be raiſed upon ſuch county, riding, diſtriſion, city, town, liberty, and preſinct reſpectively; and the ſaid juſtices, ſo aſſembled as aforeſaid, are hereby authorized to treat and agree with any perſon or perſons for the loan of any ſuch ſum or ſums of money, and by their order to confirm and eſtabliſh every ſuch agreement as aforeſaid; and every ſuch agreement ſo eſtabliſhed by ſuch order, and ſigned by the chairman and two or more juſtices preſent at the time of making ſuch order, ſhall be, and the ſame is hereby declared to be effectual for ſecuring to the perſon or perſons ſo advancing any ſum or ſums of money, his, her, or their executors, adminiſtrators, and aſſigns, all and every ſuch ſum or ſums of money, with intereſt for the ſame, on ſuch terms as in and by ſuch agreement or agreements reſpectively ſhall be for that purpoſe ſtipulated; and copies or extracts of all ſuch agreements or ſecurities ſhall be kept with the clerk of the peace, or other proper officer having the cuſtody of the records of the quarter ſeſſions, of ſuch county, riding, diſtriſion, city, town, liberty, or preſinct reſpectively; and all and every perſon and perſons to whom any ſuch ſecurity or ſecurities ſhall be made, or who ſhall be intitled to the money thereby ſecured, is and are hereby impowered (by indorſing his, her, or their name or names on the back of ſuch ſecurity or ſecurities) to transfer and aſſign the ſame, and his, her, or their right to the principal money and intereſt thereby ſecured, unto any perſon or perſons; and every ſuch aſſignee may in like manner transfer the ſame again, and ſo *toties quoties*; and the perſon or perſons to whom ſuch ſecurity or ſecurities, or any ſuch aſſignment thereof, ſhall be made, and his, her, or their reſpective executors, adminiſtrators, and aſſigns, ſhall be creditors upon the ſaid rates, in an equal degree one with another, and ſhall not have any preference with reſpect to the priority of any monies ſo advanced.

Agreements by order of the juſtices, ſigned by the chairman, &c. to be an effectual ſecurity.

Securities may be transferred.

III. And be it further enacted, That the ſaid juſtices ſhall, and they are hereby authoriſed and required, not only to charge the rates to be raiſed upon ſuch county, riding, diviſion, city, town, liberty, or precinct, with the intereſt of the money ſo borrowed on ſuch ſecurities, but alſo with the payment of a further ſum, equal at leaſt to the ſum ſo charged for the intereſt of ſuch ſecurities; which ſaid ſums ſhall be aſſeſſed on ſuch county, riding, diviſion, city, town, liberty, or precinct, in ſuch manner as county rates are directed to be aſſeſſed by the laws now in being, and paid and applied, under the direction of the ſaid juſtices, in diſcharge of the intereſt, and of ſo many of the principal ſums on the ſaid ſecurities as ſuch money will extend to diſcharge in each year, until the whole of the money for which ſuch ſecurities ſhall be made, and the intereſt thereof, ſhall be fully paid and diſcharged; and the ſaid juſtices are required to fix one or more day or days in each year, on which ſuch payment ſhall be made, and ſhall make orders for aſſeſſments in due time, ſo as to provide for the regular payment thereof; and they are hereby required to appoint a proper perſon to keep an exact and regular account of all the receipts and payments under the authority of this act, in a book or books ſeparate and apart from all other accounts, and the ſame to ſettle and adjust in ſuch manner that it may eaſily be ſeen what intereſt is growing due, and what principal money has been diſcharged, and what remains due; and the ſaid book or books, ſo adjusted and ſettled, to deliver into court at every general or quarter ſeſſions to be held for any ſuch county, riding, diviſion, city, town, liberty, or precinct; and the ſaid juſtices are required, at every ſuch ſeſſions, carefully to inſpect all ſuch accounts, and make orders for carrying the ſeveral purpoſes of this act into execution, in ſuch manner as to them ſhall ſeem meet; and if at any time it ſhall appear to the ſaid juſtices that the perſon ſo appointed has neglected the ſaid order, and has not duly, and without delay, applied the money in his hands to the purpoſes hereby directed, ſuch perſon ſhall forfeit double the amount of the money which ſhall not have been applied to the purpoſes of this act; and the ſaid juſtices, ſo aſſembled in ſeſſion as aforeſaid, ſhall direct in what order ſuch ſecurities ſhall be diſcharged, by drawing lots or otherwiſe, as they ſhall think fit, firſt diſcharging all ſuch ſecurities which ſhall bear the higheſt intereſt.

To what extent the juſtices may charge the county rates.

A regular account to be entered in a book of all receipts and payments under this act;

which ſhall be inſpected by the juſtices at every ſeſſions, &c.

IV. Provided always, and be it further enacted, That the juſtices of the peace in their reſpective quarter ſeſſions ſhall, and they are hereby required to make proviſions by means of the rates (which they are hereby authoriſed to make), and by their orders and directions (which they are hereby authoriſed to give), in ſuch manner that the whole money to be borrowed under the authority of this act, ſhall be fully paid and diſcharged within a time to be limited, not exceeding fourteen years from the time of borrowing the ſame.

Money borrowed under this act to be paid within a limited time.

V. And be it further enacted, That in caſes where ſuch

Justices may dispose of old houses of correction, and the ground on which they stand.

houses of correction shall be pulled down, repaired, rebuilt, or enlarged, by the authority of this act, or any other law in being: it shall and may be lawful to and for the said justices, in their quarter sessions assembled, to sell and dispose of the materials of such old houses of correction, or such parts thereof, and also of the whole, or such parts of the site or ground belonging thereto as shall not be necessary to be used for or in the rebuilding, repairing, or enlarging such houses of correction, at the best price or prices that can or may be gotten for the same; which monies shall be applied to the purposes of this act; and in case of any such purchase of lands, tenements, or hereditaments, which shall exceed what is necessary to be so used or employed, the said justices may sell and dispose of the same, and apply the money to be raised by such sale for the purposes aforeſaid.

Bodies politic, &c. may sell and convey lands, &c.

VI. And be it further enacted, That it shall and may be lawful for the King's most excellent majesty, his heirs and successors, and for all bodies politic and corporate, and also for all guardians, committees, husbands, trustees, and attornies of any person or persons, being infants, lunatics, ideots, under coverture, or any other disability, and also for all other persons who are or shall be seized, possessed of, or interested in, any houses, buildings, lands, tenements, hereditaments, easements, or privileges, which shall be deemed necessary for the purposes of this act, to contract or agree for, and to sell, convey, and assure such houses, buildings, lands, tenements, hereditaments, easements, and privileges, unto such person or persons as shall be named by the justices, in trust, and for the purpose of erecting new houses of correction, or enlarging the old houses of correction, and the yards, courts, and outlets thereunto belonging; and all such contracts, agreements, sales, conveyances, and assurances, shall be valid and effectual in law, to all intents and purposes whatsoever, any law, statute, usage, or custom, to the contrary thereof notwithstanding.

Purchase money, exceeding 100l. to be laid out in purchase of lands, &c. subject to the same uses, &c.

VII. And be it further enacted, That all sums of money which shall be agreed to be paid to any corporation, guardian, committee, husband, trustee, or attorney, for or on behalf of any infants, lunatics, ideots, femmes-covert, or cestuique trust, or to any other person or persons whose houses, buildings, lands, tenements, hereditaments, easements, and privileges, shall be limited in strict settlement for the purchase of any such lands, tenements, and hereditaments, shall, in case such sums of money shall exceed the sum of one hundred pounds, be laid out by such corporations, guardians, committees, husbands, trustees, or attornies, or any person or persons seized of such houses, buildings, lands, tenements, hereditaments, easements, or privileges, so limited in strict settlement, as soon as conveniently may be, in the purchase of lands, tenements, and hereditaments, in fee-simple, to be conveyed to, or to the use of such corporations, guardians, committees, husbands, trustees, or attornies, and to and for such person or persons, and for such estate

estate and estates, and to, for, and upon, and subject to such uses, limitations, remainders, and contingencies, as the houses, buildings, lands, tenements, hereditaments, easements, or privileges, for and in respect whereof such purchase money shall be paid as aforesaid, shall be limited, settled, and assured at the time such purchase or contract shall be made in manner aforesaid, or such as shall then be capable of taking effect; the charges of such conveyances and settlements to be paid in the same manner as the other expences relating to the house of correction; and in the mean time, and till such purchase or purchases shall be made, such money, whether the same shall or shall not exceed the sum of one hundred pounds, shall be laid out, by such corporation, or other persons for the time being interested therein, in some government securities, in the names of two persons, one to be nominated by the party or parties for the time being interested therein, and the other by the justices aforesaid; and the interest arising from such securities shall be paid to such person or persons respectively, as would have been intitled to the rents and profits of such lands, tenements, hereditaments, easements, and privileges, in case the same had not been sold, or would for the time being be intitled to the rents and profits of such lands, tenements, and hereditaments, so to be purchased, in case the same were purchased and settled as aforesaid.

And until such purchases are made, the money to be laid out in government securities.

VIII. And be it further enacted, That if any such corporations, guardians, committees, husbands, trustees, and attornies, or any person or persons for the time being interested in any such houses, buildings, lands, tenements, hereditaments, easements, or privileges, which shall be deemed necessary for the purposes of building or enlarging any such house of correction, and other the purposes of this act, upon notice in writing to him, her, or them, given or left at the house or houses, or other place or places of abode of such person or persons, or of the principal officer or officers of any such corporation, shall, for the space of twenty-one days after such notice so given or left as aforesaid, neglect or refuse to treat, or shall refuse to accept such price as shall be offered by the justices or their agents, or shall otherwise not agree for the sale of such houses, buildings, lands, tenements, hereditaments, easements, or privileges, or if, by reason of absence or incapacity, they shall be prevented from treating for such sale; then, and in such case, the justices of the peace, at their general or general quarter sessions, or any two or more of them appointed for that purpose, shall cause the value of such houses, buildings, lands, tenements, hereditaments, easements, and privileges, to be inquired into and ascertained by a jury of indifferent men of the county, riding, division, city, town, liberty, or precinct wherein the same shall be situated; and to that end shall summon and call before such jury, and examine upon oath (which oath any one or more of such justices of the peace is and are hereby empowered to administer) any person or persons whomsoever; and such jus-

If the parties refuse to treat, &c.

the value to be ascertained by a jury.

tices of the peace, or any two of them, ſhall, by ordering a view or otherwiſe, uſe all ways and means for the information of themſelves and of ſuch jury, in the premiſes; and when ſuch jury ſhall have enquired of, and aſcertained the value of ſuch houſes, buildings, lands, tenements, hereditaments, caſements, and privileges, the ſaid juſtices of the peace ſhall thereupon order that the ſum or ſums which ſhall ſo appear to be the value of ſuch houſes, buildings, lands, tenements, hereditaments, caſements, and privileges, ſhall be paid in ſuch manner as is herein-before directed, touching the money to be paid for ſuch houſes, buildings, lands, tenements, hereditaments, caſements, or privileges, for ſale whereof the perſon or perſons intereſted ſhall contract and agree in manner aforeſaid; which verdict or inquiſition, and order, ſhall be filed of record by the clerk of the peace, or other officer having the cuſtody of the records of the ſaid county, riding, diviſion, city, town, liberty, or precinct, and ſhall be final and concluſive, to all intents and purpoſes whatſoever, againſt all parties and perſons whomſoever, claiming or to claim, in poſſeſſion, remainder, reverſion, or otherwiſe, their heirs and ſucceſſors, as well abſent as preſent, infants, lunatics, idiots, and perſons under coverture, or any other diſability whatſoever, corporations, guardians, committees, huſbands, truſtees, and attornies, or any other perſon or perſons whomſoever.

Verdict of
jury, &c. to be
final.

How the jury
ſhall be ſum-
moned.

IX. *And, for the ſummoning and returning ſuch juries,* be it further enacted, That ſuch juſtices of the peace, or any two of them, may iſſue their warrant or warrants to the ſheriff or bailiff of any particular county, riding, diviſion, city, town, liberty, or precinct, within the limits of which the houſes, buildings, lands, tenements, hereditaments, caſements, or privileges ſhall be ſituated, requiring him to impanel, ſummon, and return an indifferent jury of twenty perſons, qualified to ſerve on juries, to appear before the ſaid juſtices, or any two of them, at ſuch time and place as in ſuch warrant or warrants ſhall be appointed; and ſuch ſheriff and bailiff is and are hereby required to impanel, ſummon, and return ſuch number of perſons accordingly, and, out of the perſons ſo ſummoned, impannelled, and returned, or out of ſuch as ſhall appear upon ſuch ſummons, the juſtices of the peace, or any two of them, ſhall, and they are hereby impowered and required to draw by ballot, and to ſwear or cauſe to be ſworn, twelve men, who ſhall be the jury for the purpoſes aforeſaid; and, in default of a ſufficient number of jurymen ſo returned, the ſaid ſheriff or bailiff ſhall take ſuch other honeſt and indifferent men of the ſtanders-by, or that can ſpeedily be procured to attend that ſervice, to make up the number twelve; and all perſons concerned ſhall have their lawful challenges againſt any of the ſaid jurymen when they come to be ſworn: and the ſaid juſtices of the peace, or any two of them, ſhall have power from time to time to impoſe a fine or fines upon ſuch ſheriff or bailiff, or his deputy or deputies making default in the premiſes; and on any

Jurymen may
be challenged

Juſtices may
fine the ſher-
riff, bailiff,
&c. making
default.

of the persons who shall be summoned and returned on such jury, and who shall not appear, or appearing, shall refuse to be sworn on the said jury, or, being sworn, shall refuse to give, or shall not give a verdict, or shall in any other manner wilfully neglect his or their duty therein; and also on any person who, being summoned and required to give evidence before the said jury, shall refuse or neglect to appear, or, appearing, shall refuse to be sworn, or to give evidence; so that no such fine be more than ten pounds, nor less than twenty shillings, on any one person for one offence.

X. And be it further enacted, That in case any jury shall give in and deliver a verdict for more money, as the value of such houses, buildings, lands, tenements, hereditaments, easements, or privileges so to be purchased, than what shall have been offered for the purchase thereof by the said justices of the peace, or their agents, to any person capable of contracting for the same, the costs and expences of summoning and maintaining the jury and witnesses shall be borne and paid out of the same fund as the expences of the buildings to be erected thereon; but if such jury shall give in and deliver a verdict for no more, or for less money than the money which shall have been so offered by such justices of the peace, or their agent, then the costs and expences of summoning and maintaining the said jury and witnesses shall be borne and paid by the person or persons with whom such controversy or dispute, touching the value of such houses, buildings, lands, tenements, hereditaments, easements, or privileges, shall arise.

Expences of jury, &c. how to be defrayed.

XI. And be it further enacted, That, upon payment of the money so ordered to be paid for the purchase of such houses, buildings, lands, tenements, hereditaments, easements, or privileges, or, upon refusal or inability to receive the same, leaving the same in the hands of such person as the justices in their quarter sessions shall appoint, for the use of the party or parties intitled thereto, or in case of the said party or parties not being to be found, then, upon notice to be published in some paper or papers circulating in or near the said county, riding, division, city, town, liberty, or precinct, where such house of correction is to be built or enlarged, of the payment or investment of such purchase-money, the said lands, tenements, hereditaments, easements, and privileges so purchased, shall vest in the person or persons who shall be authorised to take and hold the same by virtue of this act, for the purposes aforesaid; and it shall be lawful for the said justices, or any two of them, their workmen or agents, to enter upon, and take possession of, and make use of the said houses, buildings, lands, tenements, hereditaments, easements, and privileges, and every part thereof; and thereupon all such persons and parties who were the owners or occupiers thereof, shall be divested of all right and title in and to the same, and every part thereof.

On payment of purchase money for lands, &c. justices may take possession thereof.

XII. And be it further enacted, That in all cases where any justice or justices of the peace is or are, or shall be; by any act

Justices, who are authorised to convict in

a ſummary
way, nely
commit of-
fenders to the
houſe of cor-
rection.

of parliament, authoriſed or impowered to convict any perſon or perſons before him or them, in a ſummary way, without the intervention of a jury, it ſhall and may be lawful, from and after the paſſing of this act, for ſuch juſtice or juſtices of the peace ſo authoriſed or impowered as aforeſaid, if he or they ſhall think fit, to commit ſuch perſon or perſons, ſo convicted in ſuch ſummary way as aforeſaid, to the houſe of correction within his or their juuriſdiction, in lieu or in ſtead of the common gaol; any law, ſtatute, or cuſtom, to the contrary notwithſtanding.

The SCHEDULE to which this act refers.

FORM of Mortgage and charge upon the county rates for ſecuring the money borrowed.

WE A. B. one of his Maſteſty's Juſtices of the peace, and chairman of the court of quarter ſeſſions of the peace for the county, &c. of (as the caſe ſhall be,) holden at the day of C. D. and E. F. eſquires, two other of his Maſteſty's juſtices of the peace acting for the ſaid county, &c. and aſſembled in the ſaid court, in purſuance of the power to us given by an act paſſed in the twenty-fourth year of the reign of his maſteſty King George the Third, intituled, &c. [inſert the title of the act] do hereby, in open court, mortgage and charge all the rates to be raiſed within the ſaid county, &c. (as the caſe ſhall be,) under the deſcription of county rates, by the laws now in being, with the payment of the ſum of which G. H. of hath propoſed and agreed to lend, and hath now actually advanced and paid towards defraying the expences of building, repairing, &c. (as the caſe ſhall be,) the houſe of correction for the ſaid county, &c. And we do hereby confirm and eſtabliſh the ſame unto the ſaid G. H. his executors, adminiſtrators, and aſſigns, for ſecuring the repayment of the ſaid ſum of and the intereſt agreed upon for the ſame, after the rate of per centum per annum; and do order the treaſurer for ſuch county, &c. or other perſon, (as the caſe ſhall be,) to pay the intereſt of the ſaid ſum of half yearly, as the ſame ſhall become due, until the principal ſhall be diſcharged, purſuant to the direCTIONS of the ſaid act.

C A P. LVI.

An act for the effectual transportation of felons and other offenders; and to authorize the removal of priſoners in certain caſes; and for other purpoſes therein mentioned.

Preamble.

WHEREAS it is expedient to impower his Maſteſty, with the advice of his privy council, to appoint certain places, as well out of his Maſteſty's dominions as within the ſame, to which felons

felons and other offenders may be transported, and to make other regulations for the more effectual transportation of such offenders; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, when any person or persons, at any session ofoyer and terminer, or gaol delivery, or at any quarter or other general session of the peace, to be holden for any county, riding, division, city, town, borough, liberty, or place, within that part of *Great Britain* called *England*, or at any great session to be holden for the county palatine of *Chester*, or within the principality of *Wales*, shall be lawfully convicted of grand or petit larceny, or any other offence for which such person or persons shall be liable by the laws of this realm to be transported, it shall and may be lawful for the court before which any such person or persons shall be so convicted as aforesaid, or any subsequent court holden at any place for the same county, riding, division, city, town, borough, liberty, or place respectively, with like authority, to order and adjudge that such person or persons so convicted as aforesaid shall be transported beyond the seas, for any term of years not exceeding the number of years or term for which such person or persons is or are, or shall be liable by any law to be transported; and, in every such case, it shall and may be lawful for his Majesty, by and with the advice of his privy council, to declare and appoint to what place or places, part or parts beyond the seas, either within his Majesty's dominions, or elsewhere out of his Majesty's dominions, such felons or other offenders shall be conveyed or transported; and such court as aforesaid is hereby authorised and empowered to order such offenders to be transferred to the use of any person or persons, and his or their assigns, who shall contract for the due performance of such transportation: and when his Majesty, his heirs and successors, shall be pleased to extend mercy to any offender or offenders who hath or have been, or shall be convicted of any crime or crimes for which he, she, or they is, are, or shall be by law excluded from the benefit of clergy, upon condition of transportation to any place or places, part or parts beyond the seas, either for term of life, or any number of years, and such intention of mercy shall be signified by one of his Majesty's principal secretaries of state, it shall be lawful for any court, having proper authority, to allow such offender or offenders the benefit of a conditional pardon, and except in cases where such offender or offenders shall be authorised by his Majesty to transport himself, herself, or themselves) to order the transfer of such offender or offenders to any person or persons who shall contract for the due performance of such transportation, and his or their assigns, for such and the same term of years for which any such offender or offenders shall have been ordered to be transported, or for such term of life or years as shall

Any person convicted, in England or Wales, of any crime punishable by transportation, may, by the court, be ordered to be transported accordingly.

And his Majesty in council may appoint to what place beyond the seas he shall be sent.

If his Majesty should extend his mercy to any offender liable to the punishment of death, the court may order him to be transported beyond the seas, for any term of years not exceeding the number of years or term for which such person or persons is or are, or shall be liable by any law to be transported.

Contractor to
have a prop-
erty in the
ſervice of the
offender.

be ſpecified in ſuch condition of transportation as aforeſaid; and ſuch perſon or perſons ſo contracting as aforeſaid, his or their aſſigns, by virtue of ſuch order of transfer as aforeſaid, ſhall have a property in the ſervice of ſuch offender or offenders, for ſuch terms reſpectively; and when any offender or offenders hath or have been, or ſhall be convicted of any crime or crimes for which he, ſhe, or they is or are by law excluded the benefit of clergy, the Judge, before whom ſuch offender or offenders ſhall be convicted, or any juſtice of the King's bench, common pleas, or baron of the exchequer of the degree of the coif, in caſe the ſaid offender or offenders ſhall have been tried at any court of oyer and terminer, or gaol delivery, in *England*, or any juſtice of *Cheſter* or *Wales*, in caſe the ſaid offender or offenders ſhall be tried and convicted within any of their reſpective ju- riſdictions, may on ſuch intention of mercy as aforeſaid being ſignified to him by one of the ſaid principal ſecretaries of ſtate, make an order for the immediate transportation of ſuch offender or offenders, in the ſame manner as if ſuch intention of mercy had been ſignified by one of the ſaid principal ſecretaries of ſtate during the continuance of the aſſizes or ſeſſions at which ſuch offender or offenders was or were condemned; and ſuch order ſhall be conſidered as an order made at ſuch aſſizes or ſeſſions as aforeſaid, and ſhall be as effectual, and have all the ſame conſequences as any order for the transportation of any offender or offenders made by any juſtice of oyer and terminer, great ſeſſions, or gaol delivery, for any county, city, liberty, borough, or place, during the continuance of the aſſizes or ſeſſions.

Perſons un-
dertaking to
transport of-
fenders, to
give proper
ſecurity.

II. And be it enacted by the authority aforeſaid, That every perſon or perſons to whom any ſuch offender or offenders ſhall be transferred as aforeſaid, ſhall, before any of them ſhall be delivered over to him or them to be transported, give ſecurity that he or they will transport, or cauſe to be transported effectually, ſuch offender or offenders to ſuch place or places, part or parts beyond the ſeas reſpectively, as ſhall be appointed by his Maſteſty in ſuch manner as aforeſaid, and procure ſuch evidence as the nature of the caſe will admit of the landing of ſuch offender or offenders ſo transferred as aforeſaid, in that place or part, or thoſe places or parts beyond the ſeas where- to he, ſhe, or they ſhall be ordered to be transported, (death and casualties by ſea excepted), and that he, ſhe, or they ſhall not be ſuffered to return to *Great Britain* or *Ireland* by the wilful default of the perſon or perſons ſo contracting as aforeſaid, or of his or their aſſigns.

Court may ap-
point two juſ-
tices for the
county, &c. to
contract for
transportation
of offenders,
&c.

III. And be it alſo enacted, That ſuch court as aforeſaid may appoint two juſtices of the peace for the county, riding, diſtinction, city, liberty, borough, or place where ſuch offender or offenders ſhall have been convicted, who ſhall have power to contract with any perſon or perſons for the performance of the transportation of ſuch offender or offenders, and to order ſuch ſecurity to be taken as aforeſaid; and alſo to cauſe ſuch offender

offender or offenders to be delivered, by the respective gaolers in whose custody he, she, or they shall be, to the person or persons contracting, or to his or their assigns; which contracts and security shall be certified by the justices, who shall make and take the same to the next court to be holden with like authority for the said county, riding, division, city, liberty, borough, or place, to be filed and kept among the records of such court; and all securities for transportation shall be by bond, in the name of the respective clerks of the peace, or other clerks of the court, who shall prosecute such bonds in their own names; for which purpose, every such clerk of the peace, or clerk of the court, and his successors respectively, shall be deemed a body corporate, and shall have and be paid all such costs as they shall sustain, in any such suit as the justices of the peace shall at their general quarter sessions of the peace direct, out of the publick stock; and all monies recovered on such bonds shall be for the use of the respective county, riding, division, city, liberty, borough, or place, and be paid to their respective treasurers, to be part of the publick stock; and all charges in or about making the contracts, taking securities, and conveying felons and other offenders in order to be transported, shall be borne by each county, riding, division, city, liberty, borough, or place, for which the court was held which ordered such offenders to be transported; and the respective treasurers shall, by order of the justices in quarter sessions, pay all such charges to the persons employed.

Securities for transportation to be by bond, in the name of the clerk of the peace, &c. who shall be deemed a body corporate.

IV. And be it further enacted, That the person or persons so contracting as aforesaid, and to whom any offenders shall be delivered in order to be transported, or any person or persons directed by the said justices (impowered to contract as aforesaid), or their assigns, may in such manner as they shall think fit, carry and secure the said offenders in and through any county of *Great Britain*, towards the sea-port or place from whence they are to be transported; and if any person or persons shall rescue such offenders, or any of them, or assist them, or any of them, in making their escape from such person or persons as shall have them in their custody as aforesaid, he, she, or they shall be adjudged guilty of felony, and shall suffer death as in cases of felony, without benefit of clergy.

Persons contracting to transport offenders, may carry them through any county to the sea-port.

Penalty on rescuing them, &c.

V. And be it further enacted by the authority aforesaid, That if any offender or offenders, who shall be so ordered by any such court as aforesaid to be transported beyond the seas, or who shall agree to transport himself or herself on certain conditions, either for life or any number of years, to any such place or places, part or parts, as shall be appointed by his Majesty in manner aforesaid, shall be afterwards at large within any part of the kingdom of *Great Britain* or *Ireland*, without some lawful cause, before the expiration of the term for which such offender or offenders shall have been ordered to be transported beyond the seas, or shall have so agreed to transport himself or herself as aforesaid, every such offender being at large as aforesaid, being

If any person ordered for transportation, &c. shall be found at large in *Great Britain* or *Ireland*, before the expiration of his term, he shall suffer death.

thereof

Before whom
ſuch offenders
may be tried.

thereof lawfully convicted, ſhall ſuffer death as in caſes of felony, without benefit of clergy; and ſuch offender or offenders may be tried, either before juſtices of aſſize, oyer and terminer, great ſeſſions, or gaol delivery, for the county, city, liberty, borough, or place, where ſuch offender or offenders ſhall be apprehended and taken, or from whence he, ſhe, or they were ordered to be transported; and the clerk of the aſſize, clerk of the peace, or other officer or clerk of the court having the cuſtody of the records where ſuch orders of transportation ſhall be made, ſhall, at the requeſt of the proſecutor, or any other perſon on his Maſteſty's behalf, make out and give a certificate in writing, ſigned by him, containing the effect and ſubſtance only (omitting the formal part) of every indictment and conviction of ſuch offender or offenders, and of the order for his or her transportation, to the juſtices of aſſize, oyer and terminer, great ſeſſions, or gaol delivery, where ſuch offender or offenders ſhall be indicted, (not taking for the ſame more than two ſhillings and ſixpence), which certificate ſhall be ſufficient proof of the conviction and order for the transportation of ſuch offender or offenders: and whoever ſhall diſcover and proſecute to conviction of felony without benefit of clergy, any ſuch offender or offenders ſo being at large as aforeſaid, ſhall be intitled to a reward of twenty pounds for every ſuch offender ſo convicted; and ſhall have the like certificate, without fee or reward, as any perſon or perſons may be intitled unto for the apprehending and proſecuting to conviction perſons who have committed any robbery upon the highway: provided nevertheless, That his Maſteſty, his heirs and ſucceſſors, may pardon and diſpenſe with ſuch transportation, and allow of the return of any ſuch offender or offenders to the kingdom of *Great Britain*.

Perſons diſcovering and proſecuting ſuch offenders, intitled to a reward of 20l. and a certificate, &c.

His Maſteſty impowered to order, or to authorize three juſtices of peace to order the removal of male priſoners under ſentence of death, &c. from any gaol in England or Wales.

VI. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, it ſhall be lawful for his Maſteſty from time to time, by an order in writing, to be notified by one of his ſaid principal ſecretaries of ſtate, or for any three or more of ſuch of his Maſteſty's juſtices of the peace acting in and for the county, riding, diſtriſion, city, borough, liberty, or place, in which any gaol ſhall be ſituated, as ſhall be authorized by his Maſteſty under his ſign manual, to direct the removal of any male offender or offenders who ſhall be under ſentence of death, but reprieved during his Maſteſty's pleaſure, or under ſentence or order of transportation, and who, having been examined by an experienced ſurgeon or apothe- cary, ſhall appear to be free from any putrid or infeſtious diſtemper, and fit to be removed from the gaol or priſon in which ſuch offender or offenders ſhall be confined, to ſuch place of confinement within *England*, or the dominion of *Wales*, either at land, or on board any ſhip or veſſel in the river *Thames*, or any navigable or other river, or within the limits of any port of *England* or *Wales*, as his Maſteſty, or any three of ſuch juſtices, authorized as aforeſaid, ſhall from time to time appoint, under the

the management of any overseer or overseers to be appointed by his Majesty, or any three or more of such justices authorised as aforesaid; and every offender who shall be so removed shall continue in the said place of confinement, or be removed to and confined in any other such place or places as aforesaid, as his Majesty, or any three or more of such justices, authorised as aforesaid, from time to time shall appoint, until such offender shall be transported according to law, or by the expiration of the term of such transportation, or otherwise, shall be intitled to his liberty, or until his Majesty, or any three or more of such justices, so authorised as aforesaid, shall direct the return of such offender to the gaol or prison from which he shall have been so removed; and the sheriff or gaoler having the custody of any offender whose removal shall be ordered in manner aforesaid, shall, with all convenient speed after receipt of the notification of any such order, convey, or cause to be conveyed, every such offender to the place appointed, and there deliver him, together with a certificate, containing his christian name, surname, and age, and also the offence for which, and the court in which, he was convicted, and the purport of his or her sentence, to such overseer or overseers as aforesaid, who shall give a proper receipt in writing to the sheriff or gaoler for the discharge of such sheriff or gaoler.

Gaoler to deliver offenders according to such orders, with a proper certificate.

VII. And be it enacted, That all fees on the delivering out of custody of any such offender so ordered to be removed, as have usally been paid, and would have been due to the sheriff or gaoler in case such offender had been removed in order to have been transported, and all reasonable expences which the sheriff or gaoler shall incur in every such removal, shall be paid by the county, riding, division, city, borough, liberty, or place, for which the court in which the offender was convicted shall have been held; and the sheriff or gaoler shall receive the money due for such fees and expences from the treasurer of such county, riding, division, city, borough, liberty, or place, such fees and expences being first allowed by the order of the justices of the peace at their quarter or other general sessions of the peace, who are hereby required to make such order as shall be just in that behalf.

Gaolers fees, and expences, of removal, to be paid by the county, &c.

VIII. And be it further enacted, That after the removal of any offender under this act, the overseer who shall have the custody of him shall, during the term of such custody, have the same powers over him as are incident to the office of a sheriff or gaoler, and in like manner be answerable for any escape of such offender; and also, during such custody, shall feed and clothe such offender, and shall keep him to labour at such places, and under such directions, limitations, and restrictions, as his Majesty, or any three or more of such justices, so authorised, as aforesaid, shall from time to time, by any order to be directed to such overseer or overseers for their instruction, appoint.

Overseers, to whom such prisoners are delivered, to have the same powers over them as gaolers, &c.

IX. And it is hereby declared, That the time during which Time of im-
any prisonment to

be deemed
part of the
term of trans-
portation.

any offender shall have continued in gaol under sentence of transportation, or being removed under the provisions aforesaid, shall continue confined by virtue of this act, shall be taken and reckoned in discharge or part discharge or satisfaction of the term of his transportation.

Overseers may
inflict moderate
punishment for mis-
behaviour,
&c.

X. And be it further enacted, That if any offender shall, during such custody under this act, be guilty of any misbehaviour or disorderly conduct; it shall be lawful for such overseer or overseers, having the custody of such offender, to inflict or cause to be inflicted such moderate punishment or correction as may be inflicted by law on persons committed to a house of correction; and if any such offender shall break from, or unlawfully escape from the custody of such overseer or overseers, or if any person shall rescue, or attempt to rescue, or assist in rescuing, any such offender from such custody, or shall convey, or cause to be conveyed, any disguise, instrument, or arms to such offender, every such offence shall be punishable in the same manner as if such offender had been confined in a gaol or prison, in the custody of the sheriff or other gaoler, for the crime of which such offender shall have been convicted.

Overseers to
make returns
of prisoners
to the court
of king's
bench, the
first day of
every term.

XI. And be it further enacted, That the overseers of the several places of confinement to be appointed by virtue of this act, shall from time to time make returns, specifying the name of every person in their custody, the offence of which he or she shall have been guilty, the court before which he or she shall have been convicted, and the sentence of such court, together with his age and bodily state, and his behaviour whilst in custody; and also the names of such offenders who shall have died whilst in such custody, or shall have escaped, or have been lawfully discharged from the same; which returns shall be made, on the first day of every term, to his Majesty's court of king's bench at Westminster, on the oath of the person or persons making the same; such oath to be made before the said court, or any commissioner authorized to take affidavits in the same.

Justice of as-
sise, &c. may
remove pri-
soners com-
mitted by jus-
tices of peace.

XII. And whereas there are several persons confined in county and city gaols in England and Wales, under sentences and orders made by one or more justice or justices of peace at their sessions, or otherwise, upon convictions in a summary way, without the intervention of a jury; be it further enacted, That it shall be lawful for any justice of assize or great sessions, or any two or more justices of the peace within whose jurisdiction such gaol is situate, to remove any such person or persons to any house of correction within the said jurisdiction, there to be confined, and to remain in execution of such sentence or order.

If offenders
cannot conve-
niently be
transported to
the place men-
tioned in their
sentence, the

XIII. And be it further enacted, That if any offender hath already been ordered to be transported to any part beyond the seas, or if any order shall at any time hereafter be made for the transportation of any offender, and such order cannot be conveniently executed with respect to the place in such order mentioned, it shall be lawful for the court of king's bench, or for

the court before which any ſuch perſon hath been convicted, or any court holden for the ſame county, riding, diviſion, city, borough, liberty, or place, having like authority, or (in the vacation time, and out of term) for any two juſtices of the court of king's bench, common pleas, or barons of the court of exchequer of the degree of the coif, to order that ſuch offender ſhall be transported to any other part or place beyond the ſeas, which ſhall have been appointed by his Maſteſty for the transportation of ſuch offenders, in ſuch and the like manner, and for the ſame term of years, as ſuch offender is or ſhall be liable to be transported to the place mentioned in the original ſentence or order for his or her transportation; and ſuch order ſhall be conſidered as made at the ſame time, and ſhall be as effectual to every intent and purpoſe, and ſhall have all the ſame conſequences, in every reſpect, as the original order for the transportation of ſuch offender, and ſuch offender ſhall be transferred, conveyed, and made over, to any perſon who will contract for the performance of ſuch transportation, and to his or their aſſigns, in like manner as if ſuch offender had been transported to the place mentioned in the original order of transportation; and ſuch perſon or perſons, ſo contracting as aforeſaid, his or their aſſigns, by virtue of ſuch order of transfer as aforeſaid, ſhall have a property in the ſervice of the ſaid offender, for the remainder of the term for which the offender was originally ordered to be transported; and in caſe ſuch offender, ſo ordered for transportation, ſhall be afterwards at large within any part of the kingdom of *Great Britain*, without ſome lawful cauſe, before the expiration of the term for which ſuch offender ſhall have been ordered to be transported, every ſuch offender being thereof lawfully convicted, ſhall ſuffer death as in caſes of felony, without benefit of clergy, and ſhall be tried before ſuch judges, and in ſuch manner, and the ſame evidence made uſe of, for his or her conviction, as is or ſhall be directed by the laws now in being, or hereafter to be made, for the trial of other offenders found at large within this kingdom before the expiration of the term for which they were ordered to be transported; and whoever ſhall diſcover, and proſecute to conviction of felony without benefit of clergy, any ſuch offender ſo being at large within this kingdom as aforeſaid, ſhall be intitled to a reward of twenty pounds for every ſuch offender ſo convicted, and ſhall have the like certificate, without fee or reward, as any perſon may be intitled to for the apprehending and proſecuting to conviction, perſons who have committed any robbery upon the highway.

court of king's bench, &c., may order them to be transported to any other place they ſhall think proper,

Offenders turning before the expiration of their term, to ſuffer death.

20 l reward for proſecuting ſuch offenders,

XIV. And be it further enacted, That the expences of carrying this act into execution, as far as the ſame relates to the removal of priſoners convicted, and remaining in cuſtody under ſentence of death, and reſpited during his Maſteſty's pleaſure, or under ſentence or order of transportation to other places of confinement, and which are not otherwiſe provided for, ſhall be annually laid before both houſes of parliament, and ſhall be provided

Expences of executing this act, relative to the removal of priſoners, &c. to be laid annually before parliament.

provided for in the next supplies to be granted to his Majesty by parliament.

Persons prosecuted for executing this act may plead the general issue:

and, on obtaining a verdict, shall recover treble costs.

Limitation of actions.

c. 12, & last session, repealed:

except with regard to prisoners who have been removed by virtue thereof.

19 Geo. 3, c. 74, continued until June 1, 1787.

Continuance of this act.

XV. And be it further enacted, That if any suit or action shall be prosecuted against any person or persons for any thing done in pursuance of this act, such person or persons may plead the general issue, and give this act, and the special matter, in evidence at any trial to be had thereupon; and that the same was done by the authority of this act; and if a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuit, or discontinue his, her, or their action or actions, after issue joined; or if, on demurrer or otherwise, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall recover treble costs, and have the like remedy for the same as any defendants have by law in other cases; and notwithstanding a verdict shall be given to any plaintiff in such action or suit as aforesaid, such plaintiff shall not have costs against the defendant, unless the judge, before whom the trial shall be, shall certify his approbation of the verdict.

XVI. And be it further enacted, That all actions, suits, and prosecutions to be commenced against any person or persons for any thing done in pursuance of this act, shall be laid and tried in the county and place where the fact was committed, and shall be commenced within six calendar months after the fact committed, and not otherwise.

XVII. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, an act passed in the twenty-fourth year of the reign of his present Majesty, (intituled, *An act to authorize the removal of prisoners in certain cases, and to amend the laws respecting the transportation of offenders*), except with regard to any prisoners who have already been removed from any gaol or prison, and placed under the management of any overseer or overseers, by virtue of the said act, said prisoners shall, from and after the passing of this act, be subject to the orders and regulations herein-before contained instead of those contained in the said act, shall be, any the same is hereby repealed.

XVIII. And be it further enacted, That an act passed in the nineteenth year of the reign of his present Majesty, (intituled, *An act to explain and amend the laws relating to the transportation, imprisonment, and other punishment of certain offenders*), shall be and remain in force until the first day of June, one thousand seven hundred and eighty-seven, and from thence until the end of the then next session of parliament.

XIX. And be it enacted, That the provisions of this act, so far as the same extend to authorize the removal of offenders to temporary places of confinement, shall continue to be in force until the first day of June, one thousand seven hundred and eighty-seven, and from thence until the end of the then next session of parliament.

C A P. LVII.

An act to enable his Majesty to grant to the heirs of the former proprietors, upon certain terms and conditions, the forfeited estates in Scotland, which were put under the management of a board of trustees by an act passed in the twenty-fifth year of the reign of his late majesty King George the Second; and to repeal the said act.

WHEREAS by an act made in the twentieth year of his late majesty King George, the Second, (intituled, an act for vesting in his Majesty the estates of certain traitors, and for more effectually discovering the same, and applying the produce thereof to the use of his Majesty; and for ascertaining and satisfying the lawful debts and claims thereupon), the estates of those who had been attainted of high treason for their accession to the then late rebellion, were declared to be to his Majesty, subject to the payment of debts, and under various regulations therein contained; and whereas by another act, made in the twenty-fifth year of the reign of his said late Majesty, (intituled, An act for annexing certain forfeited estates in Scotland to the crown unalienably; and for making satisfaction to the lawful creditors thereupon; and to establish a method of managing the same; and applying the rents and profits thereof for the better civilizing and improving the Highlands of Scotland, and preventing disorders there for the future), all and every the lands and estates which were then in the hands of his Majesty, by the attainder of Simon late lord Lovat, and certain other persons therein named, were declared to be unalienably annexed to the imperial crown of these realms; and provision was also made by the said last recited act, for payment of all just and lawful debts due by the forfeiting persons before their attainting; and for satisfying the claims made by subject superiors to their vassal estates; and likewise for acquitting the said subject superiors of such subject superiors: and whereas, by an act made in the fourth year of his present Majesty's reign, (intituled, An act to enable his Majesty to grant unto major general Frazer, the lands and estate of the late Simon lord Lovat, upon certain terms and conditions), the said act of the twenty-fifth year of his late Majesty was repealed, in so far as it related to the estate which formerly belonged to the said Simon late lord Lovat; which estate was thereby disannexed from the crown, and has since been granted by his Majesty, in the terms, and under the conditions at length specified in the aforesaid act, passed in the fourteenth year of his present Majesty's reign: and whereas the said estates were put under the management of a board of trustees or commissioners for managing the same, and applying the rents and profits thereof for the better civilizing and improving the highlands of Scotland, and securing the peace and loyalty of the inhabitants: and whereas, by the experience of many years since that time it has been found, that no subjects in any part of his Majesty's dominions are more loyal or dutiful, or better affected to his Majesty's person and government, than

Preamble.

Recital of 20 Geo. 2, c. 41.

25 Geo. 2, c. 6.

41.

and 14 Geo. 3, c. 22.

the inhabitants of the Highlands of Scotland now are, many of whom, of all ranks and descriptions, have performed signal ſervices to their country in the late wars between Great Britain and its enemies, and more particularly the heirs and families of all or moſt of the ſaid attainted perſons have been employed in the ſervice of their lawful ſovereign, and teſtified their loyalty and zeal upon all occaſions, and therefore it is fit that they ſhould now receive ſome mark of his Ma- jeſty's royal mercy and clemency: and whereas it is expedient that the ſaid eſtates be now diſannexed, and reſtored to the heirs or families of the former owners, upon the payment of certain ſums on account of the debts due by the forfeiting perſons, which were diſcharged by the publick, and under the other conditions herein-after mentioned: may it therefore pleaſe your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the au- thority of the ſame, That it ſhall and may be lawful to his Ma- jeſty, his heirs and ſucceſſors, to give, grant, and diſpoſe, to the honourable John M^r. Kenzie, commonly called Lord M^r. Lead, eldeſt ſon of George late earl of Cromarty, and his heirs and aſſigns, all and every the lands, lordſhips, baronies, tithes, patronages, fiſhings, and other like heretages, which became forfeited to his ſaid late Maſteſty, by the attainder of the ſaid George late earl of Cromarty, now deceaſed, and which were an- nexed to the crown by the aforeſaid act, in the twenty-fifth year of the reign of his ſaid late Maſteſty; ſubject always to, and chargeable with, the ſum of nineteen thouſand and ten pounds, ten ſhillings, and ſeven-pence, and ten twelfth parts of a penny ſterling, of principal money, to be paid into the court of ex- chequer in Scotland as herein-after directed.

His Maſteſty
impowered to
grant to the
honourable
John M^r. Ken-
zie, and his
heirs, all the
lands, lord-
ſhips, &c. for-
feited to his
late Maſteſty
by the at-
tainder of
George late
Earl of Cro-
marty:
ſubject to
19,010 l. 10
7 d. to be paid
into the ex-
chequer in
Scotland:

And to
Donald Cam-
eron the lands
forfeited by
the attainder
of Donald
Cameron late
of Lochiel:
ſubject to
3,431 l. 9 s.
1 d. to be paid
as aforeſaid:
And to Dun-
can Stewart
the lands for-
feited by the
attainder of
Charles Stew-
art:
ſubject to
699 l. 7 s. 9 d.

II. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful to his Maſteſty, his heirs and ſuc- ceſſors, to give, grant, and diſpoſe, to Donald Cameron, ſon and heir of Charles Cameron, late captain in the ſeventy-fixt regiment of foot, deceaſed, who was only lawful ſon of Donald Cameron late of Lochiel, and his heirs and aſſigns, all and every the lands and eſtate which became forfeited to his ſaid late Maſteſty by the attainder of the ſaid Donald Cam^r on late of Lochiel, now deceaſed; ſubject always to, and chargeable with, the ſum of three thouſand four hundred thirty-three pounds, nine ſhillings, and one penny, and fix twelfth parts of a penny ſterling, of principal money, to be paid into the ſaid court of exchequer as after directed.

III. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful to his Maſteſty, his heirs and ſucceſſors, to give, grant, and diſpoſe, to Duncan Stewart, eldeſt lawful ſon of Charles Stewart late of Ardfear, and his heirs and aſſigns, all and every the lands and eſtate which became forfeited to his ſaid late Maſteſty, by the attainder of the ſaid Charles Stewart, now deceaſed, and which were annexed to the crown as afore- ſaid; ſubject always to, and chargeable with, the ſum of fix hundred

hundred ninety-nine pounds, ſeven ſhillings, and nine-pence, to be paid as aforeſaid ; and one twelfth part of a penny ſterling, of principal money, to be paid into the ſaid court of exchequer as after directed.

IV. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful to his Maſteſty, his heirs and ſucceſſors, to give, grant, and diſpone, to *John M^r. Donald*, eldeſt ſon and heir of the deceased lieutenant colonel *Alexander M^r. Donald*, of the ſeventy ſixth regiment of foot, who was eldeſt ſon of *Donald M^r. Donald* late of *Kinlochmoydart*, and his heirs and aſſigns, all and every the lands and eſtate which became forfeited to his ſaid late Maſteſty, by the attainder of the ſaid *Donald M^r. Donald* late of *Kinlochmoydart*, now deceased, and which were annexed to the crown as aforeſaid ; ſubject always to, and chargeable with, the ſum of one thouſand one hundred and eleven pounds, fifteen ſhillings, and five-pence ſterling, of principal money, to be paid into the ſaid court of exchequer as hereafter directed.

V. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful to his Maſteſty, his heirs and ſucceſſors, to give, grant, and diſpone, to colonel *Duncan M^r. Pherſon*, only lawful ſon of *Evan M^r. Pherſon*, late of *Cluny*, and his heirs and aſſigns, all and every the lands and eſtate which became forfeited to his ſaid late Maſteſty by the attainder of the ſaid *Evan M^r. Pherſon*, now deceased ; ſubject always to, and chargeable with, the ſum of five thouſand one hundred thirty-eight pounds, ſeventeen ſhillings, and eleven-pence, and ſeven twelfth parts of a penny ſterling, of principal money, to be paid into the ſaid court of exchequer as after directed.

VI. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful to his Maſteſty, his heirs and ſucceſſors, to give, grant, and diſpone, to colonel *John M^r. Donell*, late of the ſeventy-fixth regiment of foot, eldeſt lawful ſon of *Duncan M^r. Donell*, late of *Lochgaray*, and his heirs and aſſigns, all and every the lands, tiſhes, and other heretages and eſtate, which became forfeited to his ſaid late Maſteſty by the attainder of the ſaid *Duncan M^r. Donell*, now deceased, and which were annexed to the crown as aforeſaid ; ſubject always to, and chargeable with, the ſum of two thouſand and eighty-three pounds, twelve ſhillings, and one penny, and five twelfth parts of a penny ſterling, of principal money, to be paid into the ſaid court of exchequer as after directed.

VII. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful to his Maſteſty, his heirs and ſucceſſors, to give, grant, and diſpone unto *John Cameron*, eldeſt lawful ſon of *Allan Cameron*, late of *Callart*, and his heirs and aſſigns, all and every the lands, tiſhes, and other heretages and eſtate, which became forfeited to his ſaid late Maſteſty by the attainder of the ſaid *Allan Cameron*, now deceased ; ſubject always to, and chargeable with, the ſum of four hundred and twenty pounds, fifteen ſhillings, and nine-pence ſterling, of principal money, to be paid into the ſaid court of exchequer as aforeſaid.

to be paid as aforeſaid ;

And to John M^r. Donald the lands forfeited by the attainder of Donald M^r. Donald ;

ſubject to 1,111 l. 5 s. to be paid as aforeſaid ;

And to col. Duncan M^r. Pherſon the lands forfeited by the attainder of Evan M^r. Pherſon ; ſubject to 5,138 l. 17 s. 11 d. to be paid as aforeſaid ;

And to col. John M^r. Donell the lands forfeited by the attainder of Duncan M^r. Donell ;

ſubject to 2,083 l. 12 s. 1 d. to be paid as aforeſaid ;

And to John Cameron the lands forfeited by the attainder of Allan Cameron ;

ſubject to 420 l. 15 s. 9 d. to be paid as aforeſaid ;

And to Francis Farquharſon the lands forfeited by his attainder;

ſubject to
1,613 l. 8 s.
9 d. to be paid
as aforeſaid.

His Maſteſty may grant to Duncan M^r. Donell the lands forfeited by the attainder of Archibald M^r. Donald;

ſubject to
1,667 l. 13 s.
5 d. to be paid
as aforeſaid:

And to the heirs male of John Drummond, &c. the eſtate of Perth, forfeited by his attainder;

VIII. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful to his Maſteſty, his heirs and ſucceſſors, to give, grant, and diſpoſe to *Francis Farquharſon*, late of *Minſtry*, who has received his Maſteſty's moſt gracious pardon, and his heirs and aſſigns, all and every the lands, tithes, and other heretages and eſtate, which became forfeited to his ſaid late Maſteſty by the attainder of the ſaid *Francis Farquharſon*; ſubject always to, and chargeable with, the ſum of one thouſand ſix hundred and thirteen pounds, and nine pence, and four twelfth parts of a penny ſterling, of principal money, to be paid into the ſaid court of exchequer as after directed.

IX. And whereas the lands and eſtate which were ſurveyed and annexed to the crown, as belonging to *Archibald M^r. Donald* ſon of *col. M^r. Donald* of *Barrisdale*, were in fact only held in waſſett by the ſaid *col. M^r. Donald*, and his ſon *Archibald*, redeemable for the ſum of one thouſand five hundred and twenty ſeven pounds, fifteen ſhillings, and ſixpence, and ſix twelfth parts of a penny, by *John M^r. Donell* of *Glengary*, but were nevertheless allowed to be ſurveyed and forfeited as the abſolute property of the ſaid *Archibald M^r. Donald*, without any claim being entered in due time by *John M^r. Donell* the reverſer, whole heirs ought now to be reſtored againſt the conſequence of that oversight: and whereas the debts due by the ſaid *Archibald M^r. Donald* at the period of the forfeiture, and which were afterwards paid by the publick, exceeded the waſſett ſum before-mentioned, ſo that no benefit could accrue to him by reſtoring him to the right of waſſett, with the burden of a ſum equal to or exceeding his debts; be it therefore enacted by the authority aforeſaid, That it ſhall and may be lawful to his Maſteſty, his heirs and ſucceſſors, to give, grant, and diſpoſe the ſaid lands and eſtate to *Duncan M^r. Donell*, now of *Glengary*, and his heirs and aſſigns; ſubject always chargeable with, the ſum of one thouſand ſix hundred and ſeven pounds, thirteen ſhillings, and five pence, and four twelfth parts of a penny ſterling, of principal money, to be paid into the ſaid court of exchequer as after directed.

X. And whereas the eſtate of *Perth*, which became forfeited by the attainder of *John Drummond*, taking upon himſelf the ſtile or title of *Lord John Drummond*, brother to *James Drummond*, taking on himſelf the ſtile or title of *Duke of Perth*, ſtand deſiſed before the forfeiture to heirs male: and whereas the ſaid *John Drummond* died without leaving iſſue lawful of his body, and it is not yet aſcertained who is his neareſt collateral heir male; be it enacted by the authority aforeſaid, That it ſhall and may be lawful to his Maſteſty, his heirs and ſucceſſors, to give, grant, and diſpoſe to the heirs male of the ſaid *John Drummond*, who would have been entitled to ſucceed by the inveſtitures of the ſaid eſtate, had it not been forfeited, and to the heirs and aſſigns of ſuch heir male, all and every the lands, lordſhips, baronies, fiſheries, tithes, patronages, and other heretages and eſtates, which be-

came

came forfeited to his ſaid late Maſteſty by the attainder of the ſaid *John Drummond*, taking upon himſelf the ſtile or title of *Lord John Drummond*, and which were annexed to the crown as aforeſaid; ſubject always to, and chargeable with, the ſum of fifty-two thouſand five hundred forty-ſeven pounds, one ſhilling, and ſixpence, and three twelfth parts of a penny ſterling, of principal money, to be paid into the ſaid court of exchequer, as after directed.

ſubject to
52,547 l. 1 s.
6 d. to be paid
as aforeſaid :

XI. And whereas *Francis Buchanan*, late of *Arnprior*, another of the forfeiting perſons, alſo died without lawful iſſue of his body, poſſeſſed of, or intitled to the following lands and eſtates; videlicet, The eſtate of *Arnprior*, and the lands of *Stank* and *Kerinoch*, which were deviſed to heirs general, and the eſtate of *Strathyre*, and certain parts of the lands of *Arnfinlay*, which were deviſed to heirs male; be it therefore enacted by the authority aforeſaid, That it ſhall and may be lawful to his Maſteſty, his heirs and ſucceſſors, to grant and diſpone to miſtreſs *Jean Buchanan*, widow of the deceaſed *John M^c. Nab* of *M^c. Nab* eſquire, ſiſter and heir general of the ſaid *Francis Buchanan*, and her heirs and aſſigns, the ſaid eſtate of *Arnprior*, and the ſaid lands of *Stank* and *Kerinoch*; and to *John Buchanan* of *Auchleſſie* eſquire, the heir male of the ſaid *Francis Buchanan*, and his heirs and aſſigns, the ſaid eſtate of *Strathyre*, and the ſaid parts of the lands of *Arnfinlay*; ſubject always to, and chargeable, the ſaid whole eſtates and ſums to be granted, with the payment of the ſum of two thouſand four hundred ninety-ſeven pounds, eight ſhillings, and three-pence, and eight twelfth parts of a penny ſterling, of principal money, to be paid by them the ſaid miſtreſs *Jean Buchanan*, and *John Buchanan*, and their heirs, jointly and ſeverally, into the ſaid court of exchequer, as after directed; but the ſaid perſons ſhall have ſuch claims againſt each other of the ſaid ſum, either in whole or in part, as they ſhall have had with reſpect to their predeceſſors debts, ſo far as they had been no forfeiture.

And to grant
the eſtate of
Arnprior, &c.
inſeited by
the attainder
of *Francis Bu-*
chanan, to his
heirs;

ſubject to
2,497 l. 8 s.
3 d. to be paid
as aforeſaid.

XII. And be it further enacted by the authority aforeſaid, That the ſeveral principal ſums aforeſaid ſhall be made payable by the ſeveral grantees, their heirs, and aſſigns, into the court of exchequer in *Scotland*, in equal moieties, one half of each ſum at the term of *Martinmas*, in the year one thouſand ſeven hundred and eighty-fix, and the other half at the ſaid term in the year one thouſand ſeven hundred and eighty-eight, together with intereſt upon the whole at the rate of five pounds *per centum per annum* from the term of *Martinmas*, one thouſand ſeven hundred and eighty-four, until payment of the ſums due, with a fifth part more of liquidated penalty in caſe of failure; for which payments ſo made, the lord chief baron, and other barons of the ſaid court, or any three of them, are hereby empowered, authorized, and required to execute, on behalf of his Maſteſty, his heirs and ſucceſſors, and all others concerned, and to deliver to thoſe from whom the money is received, full and ample receipts, diſcharges, and renunciations of the ſaid money,

When the ſaid
ſums ſhall be
paid into the
exchequer.

Barons of ex-
chequer to
give diſ-
charges for
the ſame.

ney, principal and interest, ſo paid, according to the forms preſcribed by the law of Scotland for diſcharging and renouncing heretable debts and real incumbrances in that part of the united kingdom; which receipts, diſcharges, and renunciations, ſhall be good, valid, and ſufficient acquittances, in the ſame manner, and as effectually, to all intents and purpoſes, as if they had been granted by his Maſteſty, his heirs or ſucceſſors; any law or uſage to the contrary notwithstanding.

Said monies, when paid into the exchequer, how to be diſpoſed of.

XIII. And be it enacted by the authority aforeſaid, That the ſaid monies, when paid into the court of exchequer as aforeſaid, ſhall be forthwith, by order of the court, lodged in the royal bank or bank of Scotland, or in any of the publick funds, for ſuch interest as can be obtained for the ſame, till otherwiſe diſpoſed of, in manner after directed.

XIV. And whereas the barony and eſtate of Strowan, which formerly belonged to Alexander Robertson of Strowan, became forfeited to the crown by a decree or ſentence of forfeiture paſſed in the parliament of Scotland, in the year one thouſand ſix hundred and ninety, ſubject to the debts then owing by the ſaid Alexander Robertson, and the eſtate was afterwards given back to his family, and, having come into his poſſeſſion, new debts were contracted by him; but he having again committed treaſon, and been attainted, the gift was recalled, and the eſtate declared eſcheat, and, by a claule in the ſaid act of the twenty-fifth year of the reign of his late Maſteſty, was annexed unalienably to the crown, and none of the debts have yet been paid: and whereas the ſaid Alexander Robertson, late of Strowan, is now dead, without having left iſſue lawful of his body, and the inveſtitures of the ſaid eſtate before the forfeiture ſtood in favour of heirs male; be it enacted by the authority aforeſaid,

His Maſteſty may grant the barony of Strowan, &c. forfeited by the attainder of Alexander Robertson of Strowan, to lieutenant col. Alexander Robertson; ſubject to the payment of debts with interest.

That it ſhall and may be lawful to his Maſteſty, his heirs and ſucceſſors, to give, grant, and diſpoſe to lieutenant colonel Alexander Robertson, of the eighty-second regiment of foot, the neareſt heir male of the ſaid Alexander Robertson, and his heirs and aſſigns, all and every the barony of Strowan, and other the lands, tenements, and hereditaments, which became forfeited by the attainder of the ſaid Alexander Robertson, and which were annexed to the crown as aforeſaid; ſubject always to, and chargeable with, the payment, to the creditors of the ſaid deceased Alexander Robertson, of all the juſt and onerous debts due by him, whether contracted before his forfeiture or afterwards, with an accumulation of interest on the debts contracted before the forfeiture, as at Chriſtmas, one thouſand ſeven hundred and fifty-two; and likewiſe with the burden of paying the debts contracted by Margaret Robertson, ſiſter to the ſaid deceased Alexander, who ſome time poſſeſſed the eſtate as a trustee for the family; the ſaid lieutenant colonel Alexander Robertson, and his foreſaids, being bound to relieve the crown and the publick of all claims and demands whatever at the inſtance of theſe creditors.

XV. And whereas, before the attainder, the ſaid eſtates of Ardſheak, Kinlochmoydait, Lochgary, and part of the eſtate of Lochiel,

chiel, were bolden of the dukes of Argyle and Athol, as superiors, from whom they were acquired, by the publick, in virtue of powers given by the aforesaid act, passed in the twenty-fifth year of the reign of his late Majesty; be it enacted by the authority aforesaid,

That it shall and may be lawful to his Majesty, his heirs and successors, to give, grant, and dispoise to John duke of Argyle, his heirs and assigns, the superiorities aforesaid of the said lands and estates of Ardsheal, Kinlochmoydart, and part of Lochiel, which were formerly holden of his predecessor, he or they always paying into the said court of exchequer the sum of two hundred and three pounds, eleven shillings, and five-pence, and six twelfth parts of a penny sterling, of principal money, for Ardsheal; the sum of one hundred and fifty-two pounds, five shillings, and sixpence, and six twelfth parts of a penny sterling, of principal money, for Kinlochmoydart; and the sum of one thousand two hundred and eighteen pounds, four shillings, and five-pence sterling, of principal money, for Lochiel; being the sums which his predecessor received as the value of these superiorities; and in like manner, that it shall and may be lawful to his Majesty, his heirs and successors, to give, grant, and dispoise to John duke of Athol, his heirs and assigns, the superiority of the said estate of Lochgary, formerly holden of his predecessor, he or they always paying into the said court of exchequer the sum of one thousand six hundred and seventy-four pounds, fifteen shillings, and six twelfth parts of a penny sterling, of principal money, for the same, being the value which his predecessor received; these several sums to be paid at the term of Whitsunday in the year one thousand seven hundred and eighty-five, with interest for the same, at the rate of five per centum per annum, from the term of Martinmas, one thousand seven hundred and eighty-four, till the time of payment, with a fifth part more in name of penalty in case of failure; and the receipts, and acquittances for the same, to be granted in manner as is directed.

And whereas, for the relief of certain smaller vassals, who held their lands and heretages of some of those attainted persons, from the expence and burden of making up their titles by precepts from the chancery, and charters from the crown, an act was passed in the second year of the reign of his present Majesty, intituled, An act for relief of the vassals of the several estates which are or may be annexed to the crown, by virtue of an act passed in the twenty-fifth year of the reign of his late Majesty; and for carrying the purposes of the said act more effectually into execution; which, inter alia, empowered the commissioners and trustees for managing the said estates to receive resignations, and grant new charters containing precepts of sasine, and also to grant all other charters, precepts of clare constat, and other writings whatsoever, necessary or competent for completing the titles of the foresaid vassals, their heirs and singular successors, in their lands and other heretages respectively, to be bolden feu or blench of his Majesty, his heirs and successors, in the same way and manner as the said lands and heretages were then bolden, or

His Majesty may grant the superiorities of certain estates to the duke of Argyle, on condition of his paying certain sums into the exchequer;

and the superiority of Lochgary to the duke of Athol, on a similar condition.

Re.....
Geo. 3. c. 17

might be holden of his Majesty; and which charters, precepts of ſaſine, and precepts of clare constat, to be granted by ſuch commissioners and trustees, were thereby declared to be as valid and effectual to the ſaid vaſſals, their heirs and ſingular ſucceſſors, for completing their infeſtments in their lands and heritages aforeſaid, as if the ſaid infeſtments had proceeded upon charters and precepts under the ſeal appointed by the treaty of union to be kept in Scotland in place of the great ſeal, or upon precepts from the chancery: and it was further declared, that the compoſitions payable by theſe ſmall vaſſals ſhould be applied by the ſaid commissioners for the ſame uſes and purpoſes as the other rents, profits, and casualties of the ſaid annexed eſtates; provided alſo, that it ſhould be competent to the vaſſals of the ſaid eſtates, their heirs and ſingular ſucceſſors, or any of them, if they ſhould think fit, to make up their titles to their reſpective lands by precepts from the chancery, or charters under the ſeal, in the ſame way and manner as was competent to other vaſſals of the crown: be it therefore enacted by the authority aforeſaid, That ſuch of the ſaid vaſſals of the eſtates of Perth, Cromarty, or Strowan, as have made up their titles by ſpecial ſervices and precepts from the chancery, or by charters from the crown, ſince the forfeiture, and their ſucceſſors in the lands mentioned in ſuch ſervices, precepts, or charters, ſhall be conſidered as crown vaſſals to all intents and purpoſes, and ſhall not now be obliged to hold of the ſubject ſuperiors; without prejudice, however, to their being obliged to pay their feu duties to thoſe ſuperiors; but that all others who formerly held their lands under the owners of any of the ſaid forfeited eſtates, ſhall ſtill continue as ſub-vaſſals under thoſe perſons in whoſe favour the ſaid eſtates are now to be granted; and the ſaid act of his preſent Maſteſty is hereby repealed, ſo far as it gives them an option to hold of the crown.

Certain vaſſals of the eſtates of Perth, &c. ſhall be conſidered as crown vaſſals.

XVII. And whereas, in virtue of powers given by an act paſſed in the ſixth year of the reign of his preſent Maſteſty, intituled, An act to enable his Maſteſty to exchange the lands of Fernan and Lix, in the county of Perth, for other lands belonging to the right honourable John earl of Breadalbane, called Pitkelony, in the ſaid county of Perth, the lands of Fernan, part of the annexed eſtate of Strowan, and the lands of Lix, part of the annexed eſtate of Perth, were diſpoſed to the ſaid John earl of Breadalbane, in exchange for certain parts of the eſtate of Pitkelony, in the pariſh of Muthil and county of Perth, which lands of Pitkelony lie contiguous to, and almoſt ſurrounded by the eſtate of Perth; be it enacted by the authority aforeſaid, That the ſaid excambion ſhall remain effectual and binding upon all parties; and the ſaid lands of Pitkelony, as particularly deſcribed in the act aforeſaid, with the tiſhes and pertinents, being now conſidered as a part of the eſtate of Perth, it ſhall and may be lawful to his Maſteſty, his heirs and ſucceſſors, to give, grant, and diſpoſe the ſame to the perſon who ſhall obtain the grant of the ſaid eſtate of Perth, ſuch perſon, and his foreſaids, always paying to the ſaid lieutenant colonel Alexander Robertſon, and his foreſaids, at the term

His Maſteſty may grant the lands of Pitkelony along with the eſtate of Perth, &c.

of *Whitsunday*, one thousand seven hundred and eighty-five, the sum of three thousand nine hundred and seventy-nine pounds, thirteen shillings, and nine-pence sterling, being the sum at which the lands of *Finnan*, part of the estate of *Strowan*, were valued at the date of the excambion, with interest thereof, at the rate of five pounds *per centum per annum*, from the term of *Martinmas*, one thousand seven hundred and eighty-four, until payment, with a fifth part more of hquadated penalty in case of failure.

XVIII. And be it enacted, That where any of the said estates now intended to be restored are held of subject superiors, the several persons, their heirs or assigns, in whose favour the grants are to be made, shall be intitled to receive their first charters, in virtue of the disposition by his Majesty, from the said subject superiors of whom the lands are respectively held, for payment of no higher dues or casualties than are usually given upon entries of heirs, or than those persons would be obliged to pay if they were entering as heirs to their several predecessors.

Clause relative to those estates which are held of subject superiors.

XIX. And whereas by the said act of the twenty-fifth of his late Majesty, and by the commissions and instructions afterwards granted by his Majesty to the said board of trustees, power was given to the said trustees to grant feus and leases of the said estates, and of parts and portions of them, under certain conditions and restrictions therein specified, and whereas a variety of such feus and leases have accordingly been granted by the said board, some of which, particularly of the leases, may not have been formally completed, but may yet stand upon minutes and resolutions of the board, though possession may have followed, or the parties may have bona fide acted upon such minutes and resolutions as binding, be it enacted, That nothing in this act contained shall be understood as affecting the validity of any such feus or leases which have been thus entered into, and are bona fide binding on the parties, though not regularly completed by formal deeds, without prejudice always to any challenge which the said grantees, or any of them, may have to any of the said feus or leases as unduly made, contrary to the powers, regulations, or conditions, specified in the said act of the twenty-fifth of his late Majesty, or the commissions or instructions following thereupon, or where the conditions may not have been duly implemented.

This act not to affect the validity of feus or leases granted by the board of trustees, in pursuance of the act 25 Geo. 2, &c.

XX. And provided always, and be it hereby declared, That where any of the said territories contain clauses of redemption, empowering the board of trustees in any event to redeem them, the same power of redemption shall be competent to the several grantees.

Powers of redemption competent to grantees.

XXI. And be it enacted, That the said grantees shall have right to the rents and profits of the said respective lands and heretages for crop one thousand seven hundred and eighty-five, and all succeeding years and crops, but the arrears of rent and other profits due, or which may become due, for the said lands and heretages for crop one thousand seven hundred and eighty-four,

Grantees to have rents and profits of said lands for crop 1785, and all succeeding years.

four, and all proceedings, shall be directed to be called in and levied by the said lord chief baron and other barons of the court of exchequer, and shall make a part of the general fund in their hands, and who shall likewise grant discharges and acquittances for the same, and shall be intitled to sue for payment of all monies directed by this act to be paid in to them, according to the usual forms of law.

Board of
trustees to be
discontinued
from the term
of Martinmas,
1784.

XXII. And be it further enacted by the authority aforesaid, That the aforesaid board of trustees shall be discontinued from and after the term of *Martinmas*, one thousand seven hundred and eighty-four, and the whole commissions to officers and others employed under the board are hereby declared to be void and of no effect from that period.

Annuities
may be grant-
ed to some of
their officers;

XXIII. *But in respect that some of these officers have been long in that service, and have devoted a great part of their time and industry for years past in attending diligently and faithfully to the duties of their several stations under the said board; be it therefore enacted by the authority aforesaid, That out of the said monies which are to be paid into the court of exchequer in Scotland as aforesaid, an annual sum, not exceeding five hundred and eighty pounds per annum in whole, shall be allowed to the officers and servants now employed at Edinburgh under the said board during their respective lives, subject to the distribution of the lord chief baron and other barons of the said court of exchequer.*

which shall
be due upon
their deaths,
&c.

XXIV. Provided always, and it is hereby declared, That the share to be given to each shall cease and expire upon the death of the person receiving it, and shall not be continued to the survivors or survivor; and the said lord chief baron, and other barons of the exchequer, are hereby authorized and empowered to take the assistance of such person or persons as they judge necessary in executing the business committed to them, and to make such person or persons a reasonable compensation for his or their trouble out of the said fund.

Engagements
come under
by the board,
and confirmed
by royal war-
rant, to be
fulfilled.

XXV. And be it enacted by the authority aforesaid, That all engagements which have already been come under by the board, and have been confirmed by royal warrant before the passing of this act, shall be fulfilled and carried into execution; and the lord chief baron, and other barons of the said court of exchequer, shall issue warrants for payment of the same, and of the expences of passing this act, and of the aforesaid sums to the officers, out of the first and readiest of the said sums coming into their hands, and lodged in the said royal bank or bank of Scotland, or in any of the publick funds as aforesaid.

Preamble,
reciting that a
repository for
the records of
Scotland is
much wanted.

XXVI. *And whereas a proper and safe repository for containing the records of Scotland is much wanted, and would be of great publick utility, and for that purpose a large building of stone was begun to be erected several years ago in the new extended royalty of Edinburgh; but the money allotted for it being exhausted, the same has not been completed, and it will require a considerable sum to finish and*

fit up the said building, and to provide a fund for keeping it in good condition and repair: and whereas, by an act passed in the eighth year of his present Majesty's reign, intituled, An act for making and maintaining a navigable cut or canal from the frith or river of Forth, at or near the mouth of the river of Carron, in the county of Stirling, to the frith or river of Clyde, at or near a place called Dalmuir Burnfoot, in the county of Dumbarton; and also a collateral cut from the same to the city of Glasgow; and for making a navigable cut or canal of communication from the port and harbour of Borrowstounness, to join the said canal at or near the place where it will fall into the frith of Forth; the late John duke of Bedford, and other persons therein named, and their successors and assigns, were united into a company and body corporate, to make a certain navigable cut or canal between the friths or rivers of Forth and Clyde, and a collateral cut to the city of Glasgow; to purchase land, raise money, and levy tolls and duties for that purpose: and whereas the eastern branch of the said canal, from the river Forth to a place called The stocking Field, and the collateral cut from thence to the city of Glasgow, a neighbourhood thereof, were completed several years ago, but the funds contributed by the subscribers, or raised upon the credit of their tolls, have been entirely exhausted, and a considerable sum of debt remains due by them, and the western branch of the said canal from its present termination to the river Clyde, at or near Dalmuir Burnfoot, cannot be executed without a considerable aid from the publick: and whereas the said navigation, if completed, must at all times, but particularly in time of war, be of the greatest importance to the trade of Great Britain and Ireland, by opening an easy communication between the east and west seas: be it therefore enacted by the authority aforesaid, That the lord chief baron, and other barons of the said court of exchequer, shall, out of the sums coming into their hands, and lodged as aforesaid, so soon as conveniently may be after paying or retaining what is necessary for answering the several purposes already mentioned, pay, or cause to be paid, unto the trustees to be named by his Majesty, his heirs or successors, for superintending or overseeing the said register office, the sum of fifteen thousand pounds sterling; and to the company of proprietors of the said Forth and Clyde navigation, or their cashier, the sum of fifty thousand pounds sterling, towards completing the said works.

Barons of the exchequer to pay certain sums towards completing the said repository, and towards completing the Forth and Clyde navigation.

XXVII. And be it further enacted, That the said sums of fifteen thousand pounds sterling, and fifty thousand pounds sterling, shall be paid as aforesaid, with interest upon them, from the term of *Martinmas*, in this present year one thousand seven hundred and eighty-four, and without any deduction whatsoever.

From what time the said sums, with interest, shall be paid.

XXVIII. Provided always, and be it hereby declared, That the said company of proprietors of the *Forth and Clyde* navigation shall make no dividends from the revenues of the said canal, till the whole debts which they at present owe, or hereafter may contract in carrying on and finishing the said undertaking,

Proprietors of the said navigation to make no dividends until all their debts are paid.

taking, ſhall be paid and diſcharged; and thereafter the free annual revenue or proceeds ariſing out of the tolls and other profits of the canal ſhall be regularly applied in manner after-mentioned.

Interest due to the proprietors, to be accumulated and added to the principal, &c.

XXIX. And be it enacted by the authority aforeſaid, That the intereſt already due to the ſeveral proprietors of the ſaid navigation upon the ſums ſubſcribed and paid in by them, from the reſpective periods when theſe ſums were paid, ſhall be accumulated and added to the principal as at the term of *Martimus* in this preſent year one thouſand ſeven hundred and eighty four, and the whole money ſo accumulated ſhall from thenceforwards be conſidered as the ſtock of the company; and and ſo ſoon as the debts due by the company ſhall be fully paid as before directed, the ſaid company ſhall be obliged to apply the ſaid free annual produce of the canal in making regular dividends to the ſaid accumulated ſtock of the company, and to the ſaid fifty thouſand pounds, in an equal proportion, a ſufficient ſum being always retained for answering contingent expences and repairs; which dividends for the ſaid fifty thouſand pounds ſhall be paid into the ſaid court of exchequer in *Scotland*.

The company to deliver into the exchequer, annually, an abſtract of their books, ſhewing the ſtate of their funds and debts, &c.

XXX. And be it enacted by the authority aforeſaid, That the ſaid company of proprietors ſhall deliver into the ſaid court of exchequer once every year, an abſtract from the company's books, ſhewing the preſent ſtate of the company's funds and debts, as well as the grols revenue of the canal, and deductions therefrom, for the preceeding year; which abſtract ſhall be ſigned by the proper officer, and by a quorum of the committee of managers for the company reſident at *Edinburgh* or *Glasgow*; and the lord chief baron, and other barons of the ſaid court of exchequer, ſhall likewiſe, if they find it proper, cauſe the books themſelves, or attested copies thereof, to be produced to them by the officer who has the cuſtody of them, who ſhall make oath to the juſtice of the ſame, if required; and it ſhall be in the power of the ſaid court to iſſue every kind of proceſs and compulſitory competent againſt accomptants in exchequer, and debtors to the King, for compelling the managers of the ſaid company to deliver the ſaid annual abſtract, in production of the books when the court ſhall think it neceſſary, and likewiſe to prevent the payment of dividends till the debts are extinguished, and thereafter to obtain a proportionable payment of dividends for the ſaid ſum of fifty thouſand pounds as aforeſaid, when the lord chief baron and other barons, or any three of them, ſhall be intitled to receive and diſcharge the ſame.

Proprietors of the navigation, when they begin the weſtern branch of the canal, may borrow money on credit of the ſaid ſum, &c.

XXXI. And be it enacted, That it ſhall and may be lawful for the ſaid company of proprietors of *Forth* and *Clyde* navigation, ſo ſoon as they begin to execute the ſaid weſtern branch of the canal, to borrow and raiſe money on the credit of the ſaid ſum of fifty thouſand pounds, and to aſſign their right to or intereſt in the ſame, in the whole or in part, as they may think proper, to ſuch perſon or perſons who ſhall advance money on the ſecurity

curity of the same; which assignments, when intimated to the King's remembrancer in the said court of exchequer, or his deputy, and recorded in his office, shall be held as complete and effectual transferences of the right or interest so conveyed; and in case of repayment or extinction of the debt so contracted, the discharges and acquittances for the same shall be recorded in the same manner.

XXXII. And whereas the sums to be paid into the said court of exchequer by the several persons before mentioned, in consideration of the annexed estates being restored, may happen not to be exhausted by the several applications already specified; be it enacted by the authority aforesaid, That the balance of money so to be paid in shall remain under the care of the said court of exchequer in Scotland, to be lodged in one or other of the said publick banks or publick funds, subject to the future disposition of parliament.

Surplus of the monies to be paid into the exchequer, how to be applied.

XXXIII. And be it enacted by the authority aforesaid, That when any dividends shall arise from the said fifty thousand pounds before mentioned, the same shall be applied towards making and repairing the roads and bridges in the Highlands of Scotland, to which publick aid has hitherto been found necessary to be granted in the annual votes of parliament.

Dividends from the said 50,000 l. to be applied towards repairing the roads &c. in the Highlands.

XXXIV. And be it enacted by the authority aforesaid, That the said act of the twenty-fifth year of the reign of his late Majesty, whereby the several estates already mentioned were annexed to the crown, shall be, and the same is hereby repealed; and all and every the said lands, lordships, baronies, tithes, salmon and other fishings, and other like heretages and estates whatsoever, which became forfeited to his said late Majesty by the attainder of the several persons herein-before named, shall from henceforth be disannexed from the imperial crown of these realms, in the same manner, and as fully and effectually, as if the said act of the twenty-fifth year of the reign of his said late Majesty had never been made; any thing in the said act to the contrary notwithstanding.

Act 25 Geo 3 C. 4 repealed

XXXV. Saving to all and every person and persons, bodies politic and corporate, his, her, and their heirs, successors, executors, and administrators (other than and except the King's most excellent Majesty, his heirs and successors,) all such estates, rights, titles, interests, claims, and demands, of, in, to, and out of the lands and premises to be granted as aforesaid, as they, every or any of them had before the passing this act, or should or might have held or enjoyed, in case this act had never been made.

General saving.

XXXVI. And be it further enacted, That this act shall be read, adjudged, and taken to be a publick act; and shall be judicially noticed as such by all judges, justices, and other persons whomsoever.

Publick act.

C A P. LVIII.

An act to indemnify ſuch perſons as have omitted to qualify themſelves for offices and employments; and to indemnify juſtices of the peace or others who have omitted to register or deliver in their qualifications within the time limited by law, and for giving further time for thoſe purpoſes; and to indemnify members and officers, i. cities, corporations, and borough towns, whoſe admissions have been omitted to be ſtamped according to law, or, having been ſtamped, have been loſt or miſlaid; and for allowing them time to provide admissions duly ſtamped; and to give further time to ſuch perſons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and ſolicitors; or to pay the duties on the indentures and contracts of clerks, apprentices or ſervants. — Time enlarged to Dec. 25, 1784.

C A P. LIX.

An act for extending, amending, and altering the powers of an act made in the eighth year of the reign of his preſent Majeſty, intituled, An act for making and maintaining a navigable cut or canal from the firſt or river of Forth, at or near the mouth of the river of Carron, in the county of Stirling, to the firſt or river of Clyde, at or near a place called Dalnair Burnfoot, in the county of Dumbarton; and alſo a collateral cut from the ſame to the city of Glaſgow; and for making a navigable cut or canal of communication from the port and harbour of Borrowſtounneſs, to join the ſaid canal at or near the place where it will fall into the firſt of Forth.

C A P. LX.

An act for raising money to diſcharge debts contracted on account of the poor within the pariſh of Chriſt Church, in the county of Middleſex; for repairing and enlarging the preſent workhouſe of the ſaid pariſh; and for further regulating the manner of rating to the poor, appointing overſeers, and preſerving all accounts relating to the offices of churchwarden and overſeer of the poor, and treaſurer, of the ſame pariſh.

C A P. LXI.

An act for amending ſeveral roads leading from Woodſtock through Kiddington and Enſtone, to Rollright Lane; from Enſlow Bridge to Kiddington aforeſaid, in the county of Oxford.

C A P. LXII.

An act for enlarging the term and powers of an act, made in the fifth year of the reign of his preſent Majeſty, intituled, An

Commencement of the year, &c. to be according to the *new stile*, 24 *Geo.* 2. c. 23. 25 *Geo.* 2. c. 30. vol. 20.

The times for opening and inclosing grounds for common, and payment of rents, &c. if the same depend on any moveable feaft, are to be according to the *new calendar*, 25 *Geo.* 2. c. 30. § 2 vol. 20.

For other matters, see *Calendar, Days in Bank, Scotland*, tit. *Calendar, Courts*.

York.

The hospital of St. *Levin* in *York* endowed of a thrave of corn of every plough earing in the counties of *York, Cumberland, Westmorland*, and *Lancaster*, shall have action to recover the same, having compositions, 2 *H.* 6. c. 2. vol. 3.

Patents granted to the citizens of *York* to be exempted from the offices of mayor, sheriff, collector of *quintizmes*, &c. and of citizen to come to parliament, &c. shall be void, and any citizen who shall purchase, &c. such, shall forfeit 40*l.* 29 *H.* 6. c. 3. vol. 3.

Patents made to the city of *York* concerning shipping of wools, annulled, 21 *H.* 8. c. 17. vol. 4.

The archbishop of *York* and his temporal chancellor of *Haxam*, for the time being, shall be justices of peace within that liberty, 27 *H.* 8. c. 24. § 27. vol. 4.

The assize, &c. of coverlets made in *York*, 34 & 35 *H.* 8. c. 10. vol. 5.

Certain churches in *York* united, &c. 1 *El.* 6. c. 9. vol. 5.

Inhabitants of St. *Elm's*, in *Strangate* within the city of *York*, to rebuild the parish church, &c. the crown to present, 1 *Mur. Jeff.* 2. c. 15. vol. 6.

York house, &c. belonging to the archbishop of *York*, assured to the

King, in exchange to King's in the county of 1. c. 30. vol. 7.

Jurymen in *Yorkshire* not to the assizes above once in for city of *York*, &c. excepted, th to register the names of all v. &c. 7 & 8 *H.* 3. c. 32. § 7. *An. ft.* 2. c. 13. § 3. vol. 10. *An. c.* 18. § 3, 4. vol. 11. 10 14. § 5, 6. vol. 12. 3 *Geo.* 2. vol. 16.

The sheriff of *Yorkshire* to app seven tables for taking the poll election of knights of the shire, at the costs of the candidates, 10 *An. c.* 12. § 6. vol. 12.

For inclosures of common grounds in the *West Riding* of the county of *York*, for endowing poor vicarages and chapelries, 12 *An. ft.* 1. c. 4. vol. 13.

A lice butter-market in the city of *York*; all butter brought there to be sold, &c. to be weighed, viewed, searched, sealed, &c. 8 *Geo.* 1. c. 27. c. 1. 16.

For improving the navigation of the river *Ouse* up to the city of *York*, &c. 13 *Geo.* 1. c. 33. vol. 17.

For other matters, see *Bishop Bristol, Butts, County Court, Dray, Gold, Hospital, Juries, Parliament, Privileges, Register, Wills*.

York-Buildings Company.

The undertakers for raising *Thames* water in *York-Building*, enabled to sell annuities by way of lottery, 1 *Geo.* 1. st. 1. c. 20 § 35. vol. 16.

The act for sale of the forfeited estates in *Scotland*, not to prejudice the *York-Buildings* company, 13 *Geo.* 1. c. 28. § 9. vol. 16.

Yule Vacance in *Scotland*. See *Holy Days*, &c. *Scotland*, tit. *Courts*.

